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Tros Tyriusque mihi nullo discrimine agetur.

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NORTH AMERICAN REVIEW.

No. CCCXXI.

AUGUST, 1883.

MORAL INSTRUCTION IN THE PUBLIC SCHOOLS.

REV. DR. NEWTON.

THE supreme need of ethical education in our public schools ought surely to need no assertion. In any rational theory of education everything should lead up to character and conduct. The individual's own development finds its completion in a noble character. The interests of society are not secured in a system which turns out brains minus a conscience. Educational authorities have always recognized character as the end of education. When Socrates had been shown a beautiful youth he wanted to know whether his soul was equally beautiful. Plato said: "I mean by education that training which is given by suitable habits to the first instincts of virtue in children." ("Laws," Book II., 653.—Jowett.) Locke declared: "It is virtue then, direct virtue, which is the head and invaluable part to be aimed at in education." ("Thoughts on Education.") Milton, in characteristically beautiful language, writes: "The end then of learning is to repair the ruins of our first parents, by regaining to know God aright, and out of that knowledge to love him, to imitate him, to be like him as we may the nearest by possessing our souls of true virtue." ("Tractate on Education.")

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With Pestalozzi and Froebel character was the good supremely and passionately sought. Herbert Spencer's work on education treats of it as "Intellectual, Moral, and Physical."

The lack of proper provision for ethical education in our public schools is painfully patent.* This defect our public schools share with our private schools. The task of ethical education is so delicate and fine that the wisest may well hesitate over it. Job work here is worse than no work. Prigs and pharisees are the products turned out from poor character-

* General provisions for moral education are found in the legislation of some of the States, and in the schedules of studies and directions for teachers issued by many local Boards of Education. The Legislature of Massachusetts, in 1789, directed teachers "to impress on the minds of children and youth committed to their care and instruction, the principles of piety, justice, and a sacred regard to truth, love to their country, humanity, and universal benevolence, sobriety, industry and frugality, chastity, moderation and temperance, and those other virtues which are the ornament of human society and the bases upon which a republican institution is founded." Philadelphia enumerates "morals and manners," among the studies to be pursued in its schools. In the "directions to teachers," its Board of Education observes: "Remarks upon morals and manners should follow the reading of the Bible by the principal. These remarks should be made in the presence of the whole school, and as frequently as the incidents of the school may suggest." These occasional instructions are urged as a means of school discipline: "Respectfulness to superiors, obedience to parents and teachers; honesty and truthfulness thus enforced and impressed upon the mind of the pupils will be found a powerful auxiliary to the discipline of the school."

The Board of Education of New-York (1867) places "manners and morals" among the studies of the primary schools, and directs as follows for the several grades: Sixth grade—"Instruction is to be given in manners and morals, and illustrated by means of the incidents of school and home"; fifth grade—ditto; fourth grade—"Instruction for cultivating love to parents, kindness, obedience, neatness, truthfulness, and politeness, to be illustrated by examples, incidents, and anecdotes"; third grade—ditto; second grade—"Improve opportunities in the daily exercises of the schools by conversations upon the subjects of the reading lesson and all appropriate incidents to inculcate respectfulness, obedience to parents, honesty, and truthfulness"; first grade—"Instruction by means of school incidents and anecdotes, so conducted as to aid in the discipline of the school." In the schedules for the grammar schools no reference is made to the subject. The Chicago Board of Education has some admirable instructions to its teachers, worthy of a place in the directions of all School Boards. See "Barnard's Journal of Education," vol. xix., p. 552.

Few of our School Boards offer any detailed directions; the work is one that cannot show for itself as does other teaching; so that practically this whole subject comes to be left very much to each individual principal and teacher.

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factories, and no fashion for uglinesses is likely to bring them into favor. It is so easy to spoil a soul in handling it! Still, something needs to be done, as carefully as may be. That something must be done in the people's schools. There is no other institution to which the State may safely trust this most important task. The Sunday-school is too amateurish to achieve a thorough ethical culture. An hour and a half once a week can impart but little instruction, and can secure no training. With the present pre-occupation of orthodox Sunday-schools in dogmatic and institutional religion, even their limited possibilities as ethical educators are largely wasted. Were the Sunday-school an ideal institution, as such it would still labor under the fatal defect of divorcing ethical from intellectual culture. Division of labor cannot be carried so far as to exempt our day-schools from the care of character. A child cannot be cut up into bits and jobbed-out to different specialists, and then be made up under the hands of a Master of Morals. Morality must be learned in school, as in actual life, amid secular activities. The State must assume her rightful function in the culture of character. How, then, can our present system be led on into this highest office of education?

Ethical education may be carried on in three ways: through direct instruction, through training, and through the influence of the spiritual atmosphere created in the school.

I. *Instruction.* This should be at first, not talking about virtue, but talking up virtue; not the giving of scientific knowledge concerning goodness, but the presentation of goodness in forms that will cause children to fall in love with it. Nature's order is first the concrete and then the abstract, first the example of the law and then the principle of it. The grammar of ethics should come later. Natural, unconscious action of the moral sense, responsive to the forms of beautiful goodness presented to it, makes healthier children than any elaborate studies in ethics in the best of scientific manuals. Casuistry forms good conscience-calisthenics for tougher years.

The opening exercises of the schools might include choice ethical readings, brief accounts of noble men and women, tales of brave and fine actions, golden sayings, parables and allegories of great teachers, illustrating character and conduct. There is no lack of material for such readings in righteousness. Plutarch's sketches of the grand old Greeks and Romans are full of nutri-

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ment for a noble high-mindedness. Froissart's "Chronicles," and Fuller's "Worthies of England" would yield choice material for the early periods of the modern world. More modern history abounds in tales of noble manhood and womanhood. What a text-book of patriotism is the story of Garibaldi! Our own history is rich in great characters, only less conspicuous than Washington and Lincoln. Every form of personal goodness, every phase of social righteousness finds ample illustration in the recorded anecdotes of actual men and women. The daily incidents of the newspapers furnish affecting models of heroism and tragic examples of the consequences of vice. The *sagas* of the ancients abound in ethical parables, nature-myths woven into heroic legends. Kingsley's "Heroes" and Hawthorne's "Wonder-Book" are charming specimens of the ethical power of these old stories. Scenes and sketches from our great novelists, and passages from the great poets, might well form part of such readings. Between the equally irrational clamorings of the advocates and opponents of "The Bible in the School," there is no chance probably, as yet, for the still, small voice of reason. Experience may be trusted to convince men of open minds that in the world of letters there are no writings so effective in the culture of character as portions of the sacred books of the Hebrews—the people whose specialty was ethical passion—and of the Christians. Matthew Arnold has divined this, with characteristic sagacity, and, in the "Great Prophecy of Israel's Restoration," has prepared the noble poetry of the second section of Isaiah for use as a primer in schools. One of the prime benefits to follow from a rational conception of the Bible is the ability of men of different religious opinions to consider practically this question of the ethical use of the Bible-writings.

The golden words of the other great Bibles of humanity should be utilized in the same way. These righteousness-readings might pursue a systematic order, covering in the course of a school year, several times, all the great personal and social virtues, without necessarily laying bare to the children the framework of the classification. For such readings there should, of course, be prepared a rich Anthology, as a basis on which each principal could build his own selection.

Instruction could also be given, and perhaps with most effectiveness, in an indirect manner, through some of the special departments. Indirect ethical instruction insinuates itself most

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readily into the mind. An oblique line is the line of greatest power in communicating this knowledge. As Emerson says: "It is the things of which we do not think, that educate us." The "readers" of the younger children might be still more entirely captured for the purposes of character-building, and be made to consist chiefly, as they do now in part, of choice passages of ethical value. History, as now studied, has little or nothing of an ethical character. Without displacing its really important instruction as to past affairs, it might be made to throw character into the foreground. American and English history afford just as fine a field for character-studies as Hebrew history, if we had the dominant desire of the ancient Jews to study character. The ethical aspects of great men and the moral bearings of great events should be kept ever in mind by a wise teacher, and would afford constant opportunities of exercising the child-conscience in a natural and interesting way.

The physical sciences are, without any conscious aim in this direction on the part of the teacher, a constant instruction in some valuable moral qualities—humility, openness of mind, love of truth and reality, patience, judgment, etc. They can be made to further the culture of character directly. The universal reign of law can be pointed out, and its double action in beneficence or maleficence, according as we intelligently understand and loyally obey it, or as we ignorantly neglect and willfully defy it. Moral laws can be shown to be grounded in nature; to be no mere arbitrary impositions of society, no illusions of the imagination, but part of "the order and constitution of things." The great ethical principles can be traced in terms of physics, in the life of the bird and beast. The bee-hive and the ant-hill can be made text-books in social ethics, parables of a true commonwealth and a real republic. That most difficult and delicate of didactic tasks, that of inducting the child-mind into pure and reverent thought concerning the sexual relations, may, perhaps, best be achieved through a poetic reading of the loves of the flowers. Thus it was, as we know from his own pen, that Froebel caught sight of the great law which runs through all life, and lifts the reproductive function into sacredness. These side-lights may reveal to the child the infinite mystery of order in which we live, and move, and have our being; and may place him in the rightful attitude of reverence toward law and of glad consent to it, which is the soul of virtue.

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Instruction might also be effectively given through talks and lectures, illustrated often, by competent specialists, upon the physiological effects of common vices, such as drunkenness, gluttony, etc. The elder boys and girls could be thus taught separately, by one of their own sex, the laws of purity and their bearings on life. In these and other ways a quite sufficient amount of ethical instruction might be secured, without any radical change in the present system of our public schools. To this might possibly be added, for the advanced pupils, some systematic instruction in the nature and authority of ethical principles, and their relation to conventional morality, by some specially qualified teacher, if such instruction could be given without raising dogmatic issues.

II. *Training.* Miss Peabody once said, in happy paradox, that we "learn goodness by being good." To make children good even for awhile, to establish during a portion of each day a rule under which they shall conform to the laws of right conduct—this is the best way of causing them to learn goodness. Training is more important than instruction in ethics. Habits are the molds into which the plastic spirit is to be run, shaping it into noble character. Much is even now being done through the discipline of our public schools. The children come under a system of law which they cannot ignore, change nor defy; which rewards their obedience and punishes their disobedience. This alone, to the children of lawless homes, is an immense boon. Obedience, which Kant held to be the fundamental virtue, is rigidly enforced. Punctuality, cleanliness, and other simple virtues, are drilled into the nature. Good manners are enjoined. The effort needful to master the daily lessons is a training of the will—the central force of character. The spur of the "marking" rouses ambition, energy, "go-aheadativeness," which are at least antiseptics to the lower forms of vice. These, with the other factors of character-training, count for much.

But with these good elements there are commingled influences by no means wholesome. Self-love is a powerful motor, but a dangerous one. Nature uses it to begin her work of development, but hastens to outrank it by a nobler motor. It is doubtless needful to goad children with this spur; but a sparing use should be made of it, or we shall have men and women sensitive to no finer impulses. There is a grave danger in the reckless appeal to the selfish instincts made by the

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prevalent system of ranking and rewarding pupils. Good work comes to be done not for the work's sake, nor for the sake of others, nor even for the sake of one's own improvement; but solely for the name and fame, the position and profit that it brings. We thus train the oncoming generations for the same unhappy struggle after self-advancement that is now eating into public spirit in the State, into purity in society, and into honor in the business world. In our impatience for intellectual results, we are thus sacrificing character upon the altar of knowledge. The punishments of our present system, as its rewards, are seriously faulty. They need to be made less physical and more moral, less arbitrary and more natural, less tyrannous and more just. Suspicion, espionage, and fear are demoralizing influences. "To be found out" comes to be the definition of "wrong." Scholars establish a code of school-morals,—as is well known to be the case in some schools,—and count it no wrong to cheat the master, or even to lie directly to him. Children need to be thrown, as far as possible, upon their honor; and always to be treated respectfully, until they have forfeited this right. Truthfulness and self-respect are seminal virtues, at all costs to be cherished in the young. The experience of prison reformers might give some valuable hints in the right use of punishment. The great specialists in penology have made of it a new and divine instrument in the training of character.

Perhaps the most important change to be made in the discipline of our public schools is in the introduction of higher motivities. Merit must be rewarded and faults must be punished, but rewards and punishments alike need to be lifted to a higher plane. What these higher motivities are can be better seen by a morning spent in a true kindergarten than from pages of writing. The little ones are trained there in true morality, fellow-feeling, brotherliness, justice, kindliness, love. Froebel has embodied in the beautiful culture of the kindergarten the essential spirit of ethics. When the kindergarten comes to be made the basis for our public-school system, the most important years will be rescued for a wise moral training —a training which will fashion the being aright from the start, and which, we may hope, will gradually shape the school that shall rest upon it to its nobler type of character-culture.

Self-government ought certainly to be the aim to which all

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moral education should look, and ought to be developed, as far as possible, in school years. As a means to this end, it might be worth while to feel along in the direction taken by certain notable experiments in education.* The great English schools have long made the Sixth Form responsible for the order of the rest of the school. The school established by the Messrs. Hill (Rowland Hill was one of the brothers) entrusted the entire charge of the order to the boys themselves. The superintendent of one of our own Houses of Refuge achieved marvels among boys, formerly "amenable only to the harshest discipline," by throwing the community gradually upon its own self-government; so that at last he did away with all watchmen, and left all cases of discipline to be decided by a jury of the boys. The schools of a republic might with especial propriety experiment carefully in this direction. The principles of ethics might be interestingly and effectively studied by the elder scholars in "courts," before which actual or supposititious cases of alleged wrong-doing could be brought for trial, the scholars acting as jury and as lawyers. Thus the child-conscience could be exercised and instructed in the rights of person and property; upon the ethics of law-abidingness, of truthfulness, of intemperance, of strikes, etc. Mr. MacMullen, who in his own school tried this experiment, tells how he found one-fifth of his boys at one time defending "prompting," "two of them very shrewdly and ingeniously," and a large number defending the rightfulness of robbing orchards. One of our private schools in New England tried successfully the experiment of a stated assembly, like the Senate or the House of Representatives of the United States; in this character the school-debates were carried on upon questions of social and political importance, familiarizing the boys' minds with the forms of our government, and interesting them in public affairs, while training them in the self-control of courteous discussion.

Public spirit might be nurtured by interesting observances upon the great national holidays: Washington's Birthday, Decoration Day, Fourth of July, etc. Societies might be formed among the children, looking to the cultivation of temperance and thrift. In some of the French schools savings societies have been introduced with marked benefit. If an afternoon were devoted

* The pamphlet prepared and issued by Mr. MacMullen, 1262 Broadway, on "Self-government in Schools."

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once a week to such court and congress and society sessions, the results might be very valuable in the characters of the children.

A library of well-selected literature in each school could be made a powerful adjunct in the culture of character. Books and papers are, after all, the chief educators. And here the children pursue an elective course. To teach them to choose wisely those silent masters who are to mold their lives, is one of the best services to be rendered them. For lack of such training, they patronize the host of demoralizing teachers who await them on the news-stands, and who teach them from sensational tales and tainted novels. In nothing is a guiding hand more needed than in the friendship of books. All would never follow such guidance, and none might follow it wholly; but many could be influenced by it; and, if the coöperation of parents was secured, the present ravenous consumption of low literature might be checked, and a better taste formed. There is no safeguard against a bad taste equal to the creation of a good taste.

A workshop in each school would be another valuable annex. Our present divorce between intellectual and manual education is fruitful of moral ills. It robs the hand-worker of that interest in his labor which it could and should yield him, and of the safeguards it might throw around him in the human hunger for "more life and fuller." It unfits the mass of those who are graduated from our Common Schools for the common works of the mass of mankind, in all lands and ages; while it fails to fit them for the "genteel" pursuits to which they aspire, and in which only the superior minds can hope to succeed; and so crowds our cities with men and women for whom life is one prolonged and precarious struggle, with temptation ever yawning below them. "To dress it and to keep it"—so ran the charge of the Divine Educator to the first pupil, in the child-garden of the Eden legend. There is that in character which handicrafts alone seem to develop. Alike then for their indirect and their direct bearings on character and conduct, the introduction of manual training is of prime importance in the development of our Public School system.

III. *Atmosphere.* In the growth of the plant, atmospheric conditions are of at least coëqual importance with the nature of the seed sown and the kind of culture bestowed upon it. That subtle omnipotence, the ethical atmosphere of a school, must be looked after by the guardians of our youth. There are

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schools which are charged with potent influences of goodness; in which the children breathe-in virtue. Of all that goes to form such atmospheric conditions, three factors may be mentioned.

The opening exercises may charge the air with ethical ozone, and create the spiritual temperature in which conscience buds and blooms. Music is of especial value to this end. The authorities upon education, from Plato to Froebel and Goethe, emphasize the function of music in moral education.* It rouses and guides the feelings in any desired direction; and, when well used, charges the soul with pure passion, and molds the dispositions; and, by daily repetitions, its vibrations write the laws of noble life in the very tissues of the body. There is no one instrumentality so potent in spiritual influences. The wise master holds in it the wand with which he can touch the natures of his children, wakening responsive echoes, and keying the school to the right pitch. We are but beginning to realize its educational possibilities. At present it is used partly as a recreation, and partly as one more accomplishment to be acquired. We must learn how to use it in the fashioning of plastic character.

Personal influence remains always the last and most vital formative power in the atmospheric influences of a school. The schools that have been most noted for the culture of character, have always had a noble man or woman at the core of their wise systems. Arnold made Rugby. Some vital personality makes every school which makes men. We cannot hope to secure geniuses or saints for all our Peoples' Schools. They are not needful. We can, however, secure in hosts of our schools, as we have secured in many of them, men and women of high

* "Musical training is a more potent instrument than any other, because rhythm and harmony find their way into the secret places of the soul, on which they mightily fasten, imparting grace, and making the soul graceful of him who is rightly educated. . . . . And also because he who has received this true education of the inner being, with a true taste, while he praises and rejoices over, and receives into his soul the good, and becomes noble and good, will justly blame and hate the bad, now, in the days of his youth, even before he is able to know the reason why; and when reason comes he will recognize and salute her as a friend."—Plato: "The Republic." Book III., §402. (Jowett.)

"Song is the first step in education; all the rest are connected with it, and attained by means of it. . . . . What religious and moral principles we lay before our children, are communicated in the way of song."—Goethe: "Wilhelm Meister's Travels;" chapter 10.

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character and of gracious personal influences, whose presence will be the prime factor in their culture of child character. To get them we must make the position more dignified and honorable, and, as such, more remunerative. The most important of society's functions must have the social status and the pecuniary rewards corresponding to the high worth of the teacher's service.

For all this work of moral education, the first step forward is the securing of a proper preparation for the specialty of character-culture in our Normal Schools. We must educate our educators.

R. HEBER NEWTON.

REV. DR. PATTON.

THE practical question whether the teaching of morality in the public schools should be grounded in religion is very closely related to the philosophical question whether morality is itself grounded in religion. For, if religion conditions morality as we believe it does, alike as to its origin, authoritativeness, perpetuity, and content, this is a very strong reason why religion should enter prominently into ethical instruction.

What is morality? This is an important question, though some who ask "Why must I be moral?" do not think it necessary to say what they mean by being moral. It is generally assumed that morality is identical with that system of regulated conduct which prevails among people who regard the decalogue as the law of God. And when the decalogue is so regarded there is propriety, of course, in identifying morality with its teachings; but the case is altogether different when, instead of being considered as the divine norm of conduct, it is looked upon as simply the formulated expression of human experience. What conduct is entitled to be considered as moral? It may be felicific conduct; if so, the law which enunciates it, instead of being couched in categorical terms, will always begin with an "if," and address itself to men by saying, "This is what you must do 'if' you wish to be happy or promote the happiness of others.' Between the old doctrine of the categorical imperative, which says "Thou shalt," and the doctrine of egoistic Hedonism, also old, which says "This is the best in the long run," no successful compromise has as yet been effected, though several attempts at it have been made. Of these none is more worthy

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of notice than that which is now being made under the auspices of the philosophy of evolution. Interpreting morality according to Leslie Stephen's exposition of it, we must suppose it to mean the system of regulated relations subsisting between the individuals who constitute what he calls the "social tissue." Moral conduct, according to this view, is therefore customary conduct. Customary conduct represents the conduct that promotes the life and health of the social organisms. So that the ethic of evolution has no categorical, but only a hypothetical imperative. It has no fixed standard. It uses the expression "moral law," but by this it means a generalization stating what the conduct of the organism approximately is, and not a command affirming what the conduct of the individual ought to be. This, however, is not the true meaning of morality. Moral conduct is obligatory conduct; it is conduct that a man *ought* to exhibit. So regarded, it is necessarily related to a standard of behavior, and the standard must be the antecedent of the behavior it is supposed to control. To take this position is to affirm an intuitional, and by necessary consequence a theological morality. For the meaning of "ought" is plain, simple, and underived. It cannot be twisted or changed into anything else. It cannot be generated out of anything else. The expedient is not the obligatory. "Better not" will never grow up into "ought not." The old utilitarianism of Bentham and Mill failed to explain obligation; the new utilitarianism of Spencer and Stephen has had no better success.

Religion conditions morality as to origin. It also conditions it as to authoritativeness. Without a religious basis morality can have no authoritative basis. To this it may be objected that the feeling of obligation exists whatever its genesis may have been, and that being in existence, it must be operative while it lasts. But it is more than doubtful whether the authoritativeness of morality is sufficiently conserved by the bare fact that the feeling of obligation exists. For if there is no good reason for the feeling, the operative force of the feeling will be greatly abated. As long, of course, as a man feels that he ought, he will have an obligatory morality; but whether a man can feel that he ought, after he feels that the feeling need not be attended to, is another matter. Why should I be moral? Why should decalogue-morality be my morality? And, above all, why should I feel any sense of obligatoriness about it? Aside

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from supernaturalism there is no satisfactory answer to these questions. The Hedonist may say, "This is the way to act if you wish to be happy"; but he would be met with the reply, "Happiness, that is to say, my happiness, is my affair. I may have another idea of what constitutes happiness, or I may be willing to do without happiness altogether, and at all events it contributes to my happiness for the present to be my own judge of what will be conducive to my happiness in the long run." Again, the utilitarian may say, "This mode of acting will secure the greatest happiness of the greatest number," but the obvious reply to this would be that the greatest happiness of the greatest number is a problem that transcends human arithmetic, and that practically the happiness of the individual is the most sensible thing to think of, unless there be reasons against it better than those which utilitarianism has hitherto advanced. And once more the evolutionist will say, "This the way that you and all men must act if you care for the life, health, and happiness of the social organism." But to this it will be also replied that evolution does not furnish any means of determining what is best for the health of the organism; and that if it did, appeals in behalf of "social tissue" would have very little effect. Evolution must preach personal immortality if it is to secure sympathy for the immortality of society. If there is no life beyond this world for the individual, it matters very little how long there will be a life in this world for the organism. Morality will have fallen upon dark days when the pulpits preach virtue only for the sake of perpetuating society and promoting vigorous digestion in the members who compose it; for following the loss of an authoritative morality will sooner or later come the loss of morality itself.

Of course it is not contended that a general acceptance of empirical ethics would be followed immediately by a repudiation of all moral distinctions. Some account must be made of heredity. There is a certain ethical spontaneity, however it came into exercise, which would not immediately disappear after the ethics of evolution had been accepted. As long as men have their natural instincts, they will go on eating and drinking and caring for life, even though they may adopt a pessimistic theory of existence; and as long as men continue in possession of the ethical instincts which ordinarily influence them, they will exhibit a morality corresponding in a greater or less degree to

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the requirements of the decalogue. Moreover, as long as public sentiment demands the practice of morality, we may expect the love of approval so natural to men to act as a barrier against vice. Then, too, the average morality called for by public sentiment will be reflected in legislation, and the sanction of law will save society from some of the more flagrant sins. And once more, though a man's selfishness may incline him to violate ethical propriety, that same selfishness may make him eager to punish such violations on the part of others. Self-interest will secure, for a time at least, the enforcement of laws that protect the fireside. Yet it needs no reasoning to show the insecurity of that morality, which is menaced by inclination, is reinforced by no sense of obligation, is looked upon as social conventionalism, and is kept within the trammels of law by a suspicious selfishness which makes every man distrust his neighbor and perform police duty in watching his behavior. We may concede that public sentiment will exercise a restraining influence after a sense of personal obligation has been lost; but the question is, how long this public sentiment will survive the destruction of the conscience. The conscience of the community cannot be more sensitive than the conscience of the individuals composing it, and when the conscience of the individual ceases to feel obligation, the conscience of the community will sooner or later cease to enforce obligation. We need not look for the inclination to be moral after we have given up the obligation to be moral; and evil inclination will not always be kept in check by the veto of society after it has ceased to fear the veto of the individual conscience. The moral sentiment which constitutes such an important part of our civilization is a religious sentiment. It backs the immutable distinctions of right and wrong by the stern sanction of the law of God. It has been generated through a long discipline, and though it will undoubtedly bear many shocks, it is too much to suppose that it could enter hopefully into the struggle against selfish appetites and desires, after the great principles which lie at its foundation and are the secret of its development had been discarded.

When we speak of the moral sentiment of our civilization, we mean, of course, Christian civilization; for while it is true that all authoritative morality implies belief in God, it is also true that the contents of our accepted morality are historically associ-

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ated with the particular beliefs regarding God which are taught in the Bible. We cannot drop supernaturalism out of Bible-morality without sacrificing the authoritative value of that morality; for if that morality has only historic value, why am I bound to comply with it? Why should Christ's law regarding monogamy and divorce, why should his injunctions regarding love and forgiveness, influence men authoritatively if he has no exceptional place in history entitling him to speak authoritatively in declaration of God's will? Yet, it is substantially Christian morality, for which the advocates of a secular morality contend. Their problem is: How can we sever theology from ethics? How can we perpetuate as the practical guide of life a morality which is rooted in convictions of moral obligation, and which has been historically unfolded in Christianity, after the idea of moral obligation has been discarded, and Christianity has been accounted for under the rubrics of naturalistic evolution? These questions have no answer, and the attempt to find a new and non-religious foundation for morality must result in failure.

If we are right in holding that morality is grounded in religion, we need not ask whether the religious aspect of morality should have any place in ethical instruction, for a very important element in that instruction consists in stating the grounds of moral obligation. If the teaching of an exclusively secular morality were advocated only by those who hold that morality sustains no necessary relation to religion, we should not be required to say more than has been already said in support of the position advocated in this article. But the teaching of morality on non-religious grounds is sometimes advocated by those who are in full sympathy with the opinions here advanced, regarding the basis of moral obligation and the debt which ethics owes to Christianity. To teach the religious side of ethics in any degree is by some regarded as contrary to the American doctrine of the separation of Church and State, or as a tyrannical violation of the rights of conscience. We fail to see any force in either of these objections. As to the first, it is enough to make the distinction between Church and Religion. To say that the State cannot recognize religion because it cannot confer exclusive privileges on a particular form of religion, is absurd. To say that we may not be a Christian nation because no single denomination of Christians can lay claim to precedence, is also

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absurd. Because we cannot Presbyterianize the State, it does not follow that we must Atheize it. But the State does recognize religion; and in teaching morality from a religious point of view, it is simply following its own precedents and conforming to the analogies of our national experience. As little justice is there in the plea that is sometimes made for the rights of conscience on the part of those, or on behalf of those, who do not believe in supernatural religion or, at all events, in Christianity. The principle of toleration is very precious, but it can be abused. Every man is entitled to the largest personal liberty consistent with the rights of his neighbors and his obligations to the Government. Every man has the right to believe or not to believe as he pleases. But he is bound to do his share toward the support of the State. What is best for the State is determined by the sovereign power, and the sovereign power among us finds expression in the will of majorities, and that will may express conscientious convictions. When the conscience of the majority expresses itself in favor of religious morality in the public schools, and the conscience of the minority in favor of non-religious morality, whose conscience is to be considered? It is sometimes forgotten, in this and in some other controversies, that there are two sides to this conscience-question, and it is too often assumed that the conscience of the majority should yield. This, however, is a very singular departure from Republican principles. Why should we yield to the wishes of the majority on all questions except those which can be made cases of conscience, and consent to submit the conscientious convictions of the mass to the rule of an oligarchy?

It is not doubted that some morality could be taught without any reference to religion. A code of conduct could be drawn up, and children might be required to learn a list of things that they must do and things that they must not do. Ethics could be learned in this externalistic way, as some people learn etiquette. But does ethical instruction consist in telling children that they must not lie, nor cheat, nor steal, nor swear, nor get drunk? It would be a very uninteresting boy who would not wish to know why he should not steal and lie if he felt so disposed; and a wretched system of instruction which made no provision for a proper answer to the question. Is a boy ready to meet the temptations that will assail his integrity when he enters upon the work of life and becomes acquainted with the lax morality of the world,

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who has been told simply, on the authority of his teacher's word, that he must be honest? The education which stops with the enunciation of moral rules will not make a deep impression, for when the boy comes to compare the instruction of the school-room with the experience of real life, he will find that there is some incongruity between them. Arithmetic, he will find, was very much what he supposed it was; but as to honesty, truthfulness, and the like,—now that his eyes are open he sees there are a great many people who do not live as he was told to live. And why should he follow the word of the teacher rather than the example of those who, in the new life that lies before him, are his heroes? The secular morality that is proposed would give him no answer to this inquiry, or else it would give him a false one. The question before us, then, is simply this: Shall the children in our public schools be taught to be honest, sober, and truthful without a reason, or for false reasons, or for the true reason? We may as well teach no morality if we assign no reason for it. Shall children, then, be taught to be honest because honesty is right, or because honesty pays? Shall they be told that they ought to tell the truth, or that they will find it to their advantage to tell the truth? Shall they be told that they must not get drunk because drunkenness is not respectable, or because God has said that no drunkard shall enter the kingdom of heaven? The possibility of educating the conscience depends in great measure upon the answer that is given to these questions.

And this matter of educating the conscience is a very important part of ethical instruction: for the most serious questions which we are called to answer in the sphere of conduct are often those in regard to which no rules have been laid down, and to which no ready-made answers can be quoted. The Bible has not settled these questions in the form which they assume in the varying experiences of individual men. The Church cannot settle them; public opinion cannot settle them. They illustrate the autonomy of the conscience. They must be settled by the individual for himself in the sight of God. The most important part of ethical education is that which properly interprets and expounds the place of the individual conscience. Nothing should be allowed to supersede the conscience. No pledges or promises should supplant it. It must be enlightened, of course, but its supremacy must not

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be challenged. Herein, indeed, lies the difficulty of the work that is imposed upon the individual, and the grave nature of his responsibility. He must decide, but he must bear the consequences of his mistakes. Herein is seen the importance of educating the conscience. There is needed that delicate moral sensibility which comes only as the result of a deep religious sense of moral obligation and the habitual exercise of the intellect in ethical discrimination. The crude canons of utilitarian ethics will not help a man in making these delicate measurements. For this work he needs an intimate knowledge of the great ethical principles of Christianity, and the craving for personal holiness which will lead him to make constant application of these principles to the concrete experience of every day. This is an education which must be continued in the great school of religious experience, but there is no reason why it should not be begun in the school-room of secular instruction. Moreover, the true teacher of morality will strive not only to cultivate the conscience so that there will be a knowledge of what is right, but also to cultivate the character so that there will be a disposition to do right. But what can mere secular morality do toward cultivating a high ethical nature? Has it a maxim? Has it a motive? Has it an ideal? Has it a future? Has it a sanction? Ask Spencer or Stephen. Christianity says: love God supremely, and your neighbor as yourself. It says: seek God's glory. It says: Jesus is the ideal man. It promises to his disciples personal immortality and the attainment of complete likeness to him. And it speaks in tones of terrific threatening to sinners. The new ethic has none of these elements, and, lacking these, it can have no transforming power.

The feeling expressed by the word "ought" is an ultimate fact in our constitution, and gives us an obligatory morality; but this feeling is inseparably associated with belief in the moral government of God. To preach an obligatory morality is really to preach a religious morality. But it is as important to know what we ought to do as to know that we ought to do it. And when we raise the question whether this or that is what we ought to do, we must have in mind some standard of right. Theists commonly believe this to be the nature or the will (as expressing the nature) of God. To teach morality on the basis of religion is then to command and forbid in the name of God. How, then, are we to know what God wills, or rather,

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what is in accordance with his nature which is the norm of right? The answer to this question must determine, in a measure, the mode of moral instruction. We might trust to intuition. But this would not lead us far. It would give us the empty category of obligation, but would not do much toward filling it. We might seek the will of God by inductions based upon the general experience of mankind. But the ethical *consensus* of mankind would cover a very small area, and we should soon find ourselves picking out such select ethical precepts as might happen to correspond to a preconceived ethical theory. Or, finally, we might accept some one religion as containing a revelation of God's will regarding human conduct. This is what the people of this country have done. Morality with us means Christian morality. Teaching morality means teaching Christian morality; and Christian morality rests upon revelation. We cannot say, with the author of "Natural Religion," that supernaturalism is an accident and is not of the essence of Christianity; for Christianity, bereft of its supernaturalism, loses authority in respect to both ethics and religion. Christian morality must be inculcated as the known expression of God's will. Protestants and Roman Catholics are in full accord upon this point, though they hold antagonistic views regarding the mode in which moral instruction should be conveyed. It is not likely that the Christian people who are known by these names can ever unite in the cordial support of the existing system of public education; but it is certain that as long as they retain their Christian convictions they will express their disapproval of every proposition that contemplates a non-religious system of ethical instruction.

FRANCIS L. PATTON.

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MAKING BREAD DEAR.

WHILE only one bushel in seven of the wheat crop of the United States is received by the Produce Exchange of New York, its traders buy and sell two for every one that comes out of the ground. When the cotton plantations of the South yielded less than six million bales, the crop on the New York Cotton Exchange was more than thirty-two millions. Oil wells are uncertain, but the flow on the Petroleum Exchanges of New York, Bradford, and Oil City never hesitates. Pennsylvania does well to run twenty-four millions of barrels in a year, but New York city will do as much in two small rooms in one week, and the Petroleum Exchanges sold altogether last year two thousand million barrels. When the Chicago Board of Trade was founded, its members were required to record their transactions. The dance of speculation has nowadays grown to be so rapid that no count is kept of the steps. The Board was lately reported to have turned over as much wheat in one day as the whole State of Illinois harvests in a twelvemonth. Its speculative hogs outnumber two to one the live hogs in the United States, and it is safe to say that the Board raises five bushels of grain to every one that is produced by the farmers of the West. Securities have become as staple an article of production with us as wheat, cotton, oil, or hogs. One million dollars' worth a day of new stocks and bonds is needed in prosperous years to supply the demands of the New York Stock Exchange, and its annual transactions are nearly thrice the taxable valuation of all the personal property in the United States.

One of the things that would be new to Solomon, if he lived to-day, is the part played by the modern Exchange in the distribution of the products of labor, and the redistribution of wealth. The honest industry that builds up our greatest fortunes is rais-

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ing wheat and pork on the Chicago Board of Trade, mining on the San Francisco Stock Exchange, building railroads in Wall street, sinking oil wells in William street, and picking cotton in Hanover Square. While the text-books of the science of exchange are describing in infantile prattle the imaginary trade of prehistoric trout for pre-Adamite venison between the "first hunter" and the "first fisherman," the industry of the cotton plantation, the oil fields, and the farm, is being overlaid by an apparatus of Exchanges which will prove an extremely interesting study to the Ricardo of, say, the twenty-fifth century. These Exchanges are the creameries of the world of labor. The prices of the speculative wheat and the spectral hog of the Board fix those of the real wheat and the actual hog of the field. The negro planter of Georgia who raises his bale and a half must sell it for what the Cotton Exchange says it is worth. The man who works in the ground must take the price fixed for him by the man who works in the air. No one can understand the "corner" who does not comprehend the development and reach of the Exchanges of our time.

The manufacture of prices, like other modern industries, is being concentrated into vast establishments, and these are passing under the rule of bosses and syndicates. The markets, like political parties, are run by the Machine. The people are losing the power of making prices as well as nominations. The "Free Breakfast Table" pays tribute to some clique, whether railroad pool, trades-union, match monopoly, coal combination, pottery tariff infant, or Board of Trade corner, on pretty much everything upon it. The coffee market of the country has lately gone out of the region of unorganized supply and demand into the hands of a Coffee Exchange, with all the modern improvements for speculation. A price factory to make the quotations of butter and cheese has just been established in New York. It deals in brokers' eggs as well as hens' eggs, and has all the approved facilities to enable it to count and sell the chickens that are not yet hatched out of eggs that are not yet laid.

The concentration of news, capital, and middle-men, in a focus; steam, electricity, and credit; the specially modern means of finding out the "statistical situation"; the development of the corporation; the multiplication of huge private fortunes and their union in syndicates; and the lupine standard of

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business morality, make the modern market a thing new in development if not in kind. These Exchanges are cosmopolitan legislatures. Their enactments are prices, and their jurisdiction extends beyond that of Congress, Parliament, the Assembly, and the Reichstag. They are more than negative registers of prices determined by a conflux of forces external to them. Under the manipulation of cliques they have become positive agencies of mighty influence, and are the scenes of operations that menace the lives and happiness of nations. The "strong man" now builds corners instead of castles, and collects tribute at the end of a telegraph wire instead of a chain stretched across the Rhine. Money, knowledge, and energy are nearing the boundaries of exploration, and are turning back to monopolize the provinces. The whole world is platted. Such appliances as ours for exchange have never co-existed before, in the history of business. The criminal rich,—those who appropriate the labor of others in one age by brute strength, and in another by brute wealth,—who are to-day degrading competition into a rivalry of adulteration, are seizing upon them for peculative purposes. The control of the machinery of the Exchanges is the control of prices, and the control of prices is the control of property. In markets where the cotton crop, and the wheat crop, and the pork product of the whole country can be turned over half a dozen or a dozen times in a year, it is an easy thing for a combination to get hold of the marketable surplus and dictate its price. The "fittest" in the trade world are those who have learned the magic art of the manufacture of prices, and the Exchanges are shifting the property of smaller men into their hands.

The greatest of these price factories is the Chicago Board of Trade. Thirty years ago, its thirty-eight members were scouring the country back of them to persuade the farmers to send their stuff to Chicago for sale. Cheese, crackers, and ale were spread out in the Board room to induce the members to attend, but for days in succession the minutes of attendance read "none." Last year, the Board received and paid for, in cash, three hundred and eighty-two millions of dollars' worth of farm produce; and the total of its transactions was not less than three thousand million dollars. It has become not only the chief of the food markets, but "the greatest speculative market in the world," as an authority on speculation testified last winter before the

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New York Legislature. It is the only market to which all the world goes to trade. Orders to buy and sell come to it daily from London, Liverpool, Glasgow, Edinburgh, Dublin, Cork, Bordeaux, Marseilles, Zurich, Havre, Antwerp, Amsterdam, Berlin, Hamburg.

No other farmer has such a market as this which mobilizes and cashes the crops of the Mississippi valley. Its scores of railroads fetch and carry. Its banks, stretching from the Zuyder Zee to the Yellowstone, bring the capital of the Bank of England and of the Hopes of Amsterdam to meet the farmer when he drives up to the country station with a wagon-load of grain to sell. Its telegraph wires inform him of the prices, the weather, the supply and demand of the world. Its every opinion of value is substantiated by cash. Its warehouses will hold two days' rations for every man, woman, and child in Europe and America. Packing-houses that can, singly, kill ten thousand hogs a day in summer and twenty thousand a day in winter, are there to receive all the live-stock that the prairies may forward. A cargo of grain lately sold in Liverpool on Chicago account had to be disposed of on six months' time. Chicago, whether in harvest-time or midwinter, will any day buy all that any one may wish to sell, and sell all that any one may wish to buy. Liverpool is, in comparison, an awkward country market, where every consignment of grain must be handled and sold as a separate parcel. But here the State inspects all the grain that arrives at Chicago, and gives a ticket of quantity and quality which is a negotiable security, and passes into commerce to be sold and bought, and borrowed upon, while the wheat itself is run with more of the same kind into the graded bins of the elevators.

Farmers and country grain buyers who want to take advantage of high prices, but are too busy to ship their wheat to market, can telegraph a broker on the Board to sell for future delivery. The miller, if wheat looks cheap, can buy for future delivery. These contracts are "futures." It is by their agency alone that the strain on the banks for money to move the crops is so distributed that we do not have a commercial crisis every fall. The fellah of Egypt and the slav of Bulgaria habitually sell their growing crops while green in the field. The distance between their misery, at the mercy of their own ignorance and

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the greed of the usurer, and the affluence of our own farmer is as good a measure as any of the unapproachable superiority of the market which fate has given to the American farmer alone of all the tillers of the soil, but which the greed of the cornering syndicates threatens to destroy.

Wheat Adam Smith declares to be the least liable of all commodities to be engrossed "by the power of a few great capitals which buy it all up," because "its owners can never be collected in one place." But that, impossible once, is easily done now by the Board of Trade. By the perfection of its apparatus and the magnitude of its transactions, it is now possible for a clique, almost in one day, to obtain speculative possession of the surplus of a crop, and to insist that it all be delivered to them within an impossible time under a ruinous penalty, or to put it out of reach, and then demand an impossible delivery under a ruinous penalty. Every "future" bushel sold must be made good by the delivery of a real bushel when the buyer calls for it, and every purchaser of a "future" bushel must take and pay for a real bushel when the seller brings it to him. In olden times, when it was a prison offence all over Europe to buy wheat to sell again, it was the buyer who was mobbed and jailed. Nowadays, by a strange reversal of public sentiment, it is the seller who is treated with violence—that is, the "future" seller, the man who, in order to realize present prices, sells the wheat that he is holding in the country awaiting shipment, or which he expects to receive in the regular course of trade. It is obvious that, in the debate on prices on the Boards and Exchanges, both sides must be represented. There cannot be cash buyers without cash sellers; there cannot be buyers of "futures" without sellers of "futures"; there cannot be prices made, stocks accumulated, and crops moved without both, and without all this there could be no Board of Trade. Cornering commodities is only half the modern corner. The better half is cornering contracts. Most of the profit of corners is made up of the damages extorted in the shape of fictitious prices from the country shippers and from the traders on the Board, for not fulfilling contracts which the syndicates have made with them, intending to render them impossible of performance. And every such fictitious price so made within the Board is a real price to the consumers in the world beyond the Board.

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The market is in these days no longer the mystery of the few; it is the mystery of the many. After giving men crop reports, market advices, banks, telegraphs, and brokers, it is too late to tell them not to try to use them for their legitimate profit. If the buyer helps the farmer, the seller helps the consumer, and in the world of commerce the consumer is just as good a man as the producer. The "future" seller is the offspring of the modern facilities for business. It is only in a highly organized market, with its supplies of commodities steadily flowing to him, that he could live. A highly organized market could not exist without him. No aspect of the corner is more ominous than that it aims at crippling the seller as well as the bread-eater, and with them the market in which they are as important personages as the farmer.

The "wealthy criminal classes" have been quick to seize on the Exchanges, at the risk of breaking them down, as the best of all instruments for depredation. With the machinery of the Liverpool Cotton Exchange a year ago they stopped fifteen million spindles and took away the livelihood of thousands of men, women, and children. Hardly a month passes on the New York Produce Exchange, one of the witnesses said before the Legislative Committee investigating corners, without a corner or a squeeze. But it is the Chicago Board of Trade which offers the largest and the favorite field for the cornerer. It is willing to give or take unlimited quantities at the figures it makes. It can put the combination of rich men in instant possession of the crop that is in market and of contracts for all that is to come. The *morale* of the Board permits the millionaires who have solicited these contracts, and "forestalled" the market for the purpose of making others break them, to put prices to any height in order to exact fatal damages from their victims. It is the code of honor among wolves that no high-minded lamb will squeal. The same class that administers trusts for the trustee, runs corporations to wreck the small capitals they were intended to consolidate, and finds only a private use in public franchises, is burrowing into the Board of Trade to kill trade. The passion for enslaving, forbidden by a squeamish civilization to buy men, finds a vent in capturing the raw material of human life.

Corners used to come on the Board of Trade once in a year or two. Now there are corners almost all the time. The Chicago corner used to be the venture of some local Titan, and was felt

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only within the then provincial jurisdiction of the Board. Now, it is often the cosmopolitan work of the combined capitalists of half a dozen cities, and its effects, as the London "Times" said of the pork corner of 1880, are felt in advancing prices all over the world. When six million bushels of wheat were handled by a syndicate, ten years ago, it was felt in predatory circles that the civilization of the nineteenth century had about reached its grandest heights; but sixty million bushels of corn and twenty million bushels of wheat are now pocketed almost without exciting remark. Corners generally used to fail; but the accumulated experience of many collapses has not been in vain. Such mistakes are not now made as that of the wheat corner of 1872, which was begun in the face of the harvest and was drowned out by the rush of wheat from the farmers, who dropped all other work and dried their green wheat in stoves, pots, tin cans, anything in which it could be heated, with the result of forcing down prices on themselves forty-seven cents in twenty-four hours. Now, while the farmers are selling the markets are kept down. It is after the crops are out of their hands that the manipulators put prices up. The corner of last July followed upon the smallest surplus the farmers have had in their hands for many years. The Board has sometimes had rules to prevent corners, but with the beginning of this year the corner rule was abolished through the influence of the wealthy operators. The radius of the combinations of capital to corner the crops is lengthening year by year. The great corner is still to come.

The late disastrous shortages of the crops of Europe caused the machinery of the Board to be promptly set in motion. A series of corners in wheat, pork, and other articles began, which have not yet ceased, and have produced almost every kind of evil. The wheat corner of 1879 was commanded by a New Yorker. It began with an inspired chorus of prophecies of low prices, which continued as long as the clique were buying of the farmers. The price was run down to eighty-one and a half cents a bushel. When all the wheat and wheat contracts to be had were obtained, the price was raised to one dollar and thirty-three cents. In every way the results of this corner were deplorable. The markets were crazed. The cliques held, according to their own statement, twenty million bushels, and, according to the estimate of close observers in the trade, seventy million bushels.

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At one time, their wheat was piled up in the elevators and on the railroad tracks, intentionally stopping the way, so that no other wheat could be got to market by the farmers and dealers. Wheat was refused to exporters at prices they could afford to pay. The English buyers went to Bombay and Calcutta; and the East Indies, which sent their first sample to Liverpool not ten years ago, have, in consequence, taken a place next only to us in supplying the British market. During the winter, four hundred vessels lay for months in New York harbor, the owners pleading for wheat, even at ruinously low rates. Many of them ran into debt, and the majority of them finally had to sail away to seek cargoes elsewhere. When the time came to despatch this wheat from Chicago and New York to Europe, to put it out of the way, the head of the clique said to the railroads: "I will give you so many million bushels to carry; if you do not take it at my rate, I will ship it all by lake in the spring." The cutting of rates which ensued was one of the irritating causes of the war that followed among the trunk lines. In the same way syndicates have repeatedly forced the navigators of the lakes to take such rates as they chose to pay, for there was no one to compete with the engrossing shipper. Transportation, overtasked at one time and at another idle, is hopelessly deranged; and all the banking and other business that must attend the movement of the crops goes by fits and starts. Three out of every four flouring mills of the country were kept idle for over two months. One of the oldest members of the Produce Exchange prepared for the Legislature an estimate that this syndicate, by not selling, and by not letting others sell, and by fleecing those who had been inveigled into dealing with them, and by the injury that had been done to the millers, the shipping interest, the exporters, and the consumers of flour, had caused a loss to the country of not less than three hundred million dollars.

The pork corner, which came at the same time as this in wheat, was described as follows by the London "Times": "Amid the turmoil of the Presidential election, there has been closed one of the largest and most successful speculations which has ever excited the brain of Chicago — the Armour pork corner. Its influence in advancing prices was felt in every part of the world. A Chicago dispatch of November 5th, says: 'In July, 1879, after one member of the firm of Armour & Co. had returned from

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Europe, where he had been taking observations of the pork market, the firm began buying pork (at eight dollars a barrel), and in December, when it had risen to fourteen dollars a barrel, closed out, making a profit of two million dollars. Not satisfied that it had reached the highest price, they continued buying until pork had dropped to nine and a quarter dollars a barrel, absorbing their profit and an additional million. In April of this year they again began buying at ten dollars a barrel, and bought up three hundred and fifty thousand barrels of pork, and one million two hundred and fifty thousand barrels of 'futures.' For the last three months they have been closing out their gigantic purchases at prices ranging from sixteen to eighteen and a half dollars. They cleared over seven million dollars on this deal, and are winners on the two deals to the extent of six million dollars.'" There are giants in these days, and their caves are in the Exchanges.

The price of pork was more than doubled, flour was put up an average of two dollars a barrel, and beefsteak at least one cent a pound, as the result of these manipulations. This increase in the cost of living has not subsided. Pork and meat continued to advance. They were higher the next year and higher still last year, when pork sold for twenty-four dollars and seventy-five cents a barrel. Wheat, too, though it has fluctuated violently, has remained in the hands of the manipulators, and every year since the corner of 1879, the average price the miller has had to pay has been higher than that of the year before. The universal strikes into which the laboring people have been forced in the last two years are traceable directly to the increase in the cost of living, which these corners have done so much to produce. The loss from these strikes has been incalculable. That at Pittsburg alone is estimated to have cost us at least ten million dollars. The following sentence is from a petition to Congress to which a member of the Produce Exchange personally obtained the signatures of "a thousand substantial men": "As only men of large means or extensive credit are capable of engaging in these enterprises, they become essentially an array of capital against the industrial classes, wherein the banks and moneyed institutions are almost invariably drawn to the support of the former against the latter."

This is the communism of the syndicate, and it is the only communism the United States have yet produced.

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One summer afternoon, a year ago, as a party of Chicago business men were idling in their yacht over the cool waters of Lake Michigan, one of them pointed out a great lake propeller shouldering its way eastward. "There goes some of our 'corner' wheat to Liverpool," he said. Propellers, sailing vessels, railroad cars were hurrying millions of bushels away from Chicago to put it out of the reach of the millers, the exporters, and the traders on the Board. It must, at any cost, be made scarce and dear for everybody. It was wanted for flour and as the stock-in-trade of the Board. But, as far as the bread eaters and the traders of this country were interested, it was thrown away, as the Dutch threw away the spices of the Moluccas. Such of it as Liverpool would take was sold at an average loss of ten cents a bushel, in order to extort twenty cents a bushel from the American consumer. Much of it lay for a long while stored in England unsold, while the working men and women from one end of the United States to the other question whether it is better to work for wages on which they cannot live, or not to work at all. One of the "business" men of New York testified before the Corner Committee, that he sold corn to go to Europe for twenty-five cents a bushel less than he made the buyers in New York pay him. Another member of the New Produce Exchange said that he had seen the agents of the cornering cliques standing at the doors of the flour-mills bidding away the wheat that was needed for bread. None but a free people would submit to such wrongs.

A great many, perhaps a majority, of the farmers believe that to them, at least, corners are beneficial. They see only the high prices, though these usually are made after the grain has left their hands, or when they cannot get it to market because the wheat of the clique stops the way. During the Chicago wheat corner of 1872, the elevators combined to rent out their bins and keep them empty in order to prevent any more of the farmers' crops from coming to market to embarrass the cornerers. High prices were paid during a short-lived excitement, but they were more than offset by the break that followed. The men most injured in that corner, aside from the consumer, were, as in most corners, those who buy from farmers at the country stations and make up car-loads to ship to the city. These men had bought large quantities of wheat, which they had sold for "future" delivery at prices that would have paid them only a fair profit. The

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collapse of the corner inflicted upon them a loss of thirty and forty cents a bushel, and swept away in a moment from hundreds of them the accumulations of years of patient trading, during which many of them had never made a speculative deal, though they were often "future" sellers. The commercial reports of the Chicago papers show that, during the corner of 1881, shipments were stopped, elevators gorged, the lake marine paralyzed, sailors and laborers thrown out of work, and a blockade of the entire grain business threatened. Receivers of grain were ruined, and so lured into speculation. "Some of the houses which have bought and sold most heavily for speculative customers," said a Chicago journal at the beginning of 1882, "have been those who, previous to last midsummer, had done very little except in buying and selling for actual exchange between the producer and the consumer."

The commercial editor of one of the leading New York dailies, who had been on the Produce Exchange for eleven years, says: "Since these corners began, there is a large proportion of merchants who had a good receiving business who are now simply brokers in options and get all their business from the cliques. At the time I went on the Exchange, there was not a broker in the grain trade, except those who bought and sold actual stuff for export. Now there are a few of these, and, I should judge, over one-half or three-fourths of the members engaged in the grain trade are men who were once engaged in legitimate business out of which they have been driven by corner operations." If there was any advantage to the farmer from such operations it would not be a natural advantage, but there is no advantage. These corners put prices down when the farmers want to sell, and put them up when the miller needs to buy. They exaggerate gambling by intensifying the fluctations of price and they cripple legitimate business. They derange the rail, lake, and ocean transport of the farmers' crops to market. They drive away the foreign buyers to patronize the Hindoo ryot, who is happy, our Consul at Calcutta says, if he can earn ten cents a day. They convert the exporters and legitimate dealers on the Board into brokers and claquers for the syndicates. They will surely, if unchecked, destroy the Board, which, with all its faults, is the finest piece of mechanism commerce has yet invented, and without which the American farmer could not retain his command of almost antipodal markets. The farmer who thinks cor-

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ners are a benefit should consider well the fate of the oil producer at the hands of the oil corner, which has become one of the established institutions of the country. The cornerer is a middle-man who leaves nothing for the end-men.

The most remarkable fact in the development of these Exchanges, that which completes the corner, is still to be pointed out. One of the managers of the New York Produce Exchange told a committee of the New York Legislature that, if the State should pass a law the Exchange did not like, and a member attempted to take advantage of it, they would expel him, and he added that men were constantly turned out for appealing to the law. Members are therefore practically compelled, contrary to their by-laws, whether they desire to do so or not, to submit their differences with their fellows to the summary tribunal of a committee of members, perhaps interested parties, and forego recourse to the law. When the proceedings by which the New York Stock Exchange expelled Mr. W. J. Hutchinson last year, whether justly or not is beside our purpose, were taken into court, the President of the Exchange refused, day after day for months, to answer any of the inquiries of the court as to the action of the Exchange. A member had been deprived of his seat, worth thirty thousand dollars, and his means of livelihood; but the Exchange insisted that neither in this nor in anything else was it subject to the jurisdiction of the courts. The New York Stock Exchange, which is the most powerful instrumentality in the world of finance, thus took its stand outside the law. The courts have decided that the seat of a member is property that can be seized by a creditor and sold for his benefit; but the creditors who seized Mr. Ketcham's seat have been trying for three years to sell it. Those who might buy are given to understand that the Exchange does not recognize the right of the courts to make any such decision, and will nullify it by refusing to accept the purchaser as a member, when he comes up for his election, which is ordinarily a matter of course. The courts of Illinois, hastening to do for the Board of Trade what the New York Stock Exchange is trying to do for itself, have decided that seats in the Board, which are every week bought and sold, are not property. The social consequences of this status of these Exchanges scarcely need be pointed out. These are the greatest markets in the world, but they are not open markets. No one can come in who comes in by way of the law. No one can remain who summons

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an associate before the courts of justice, under the delusion that there is no spot under the Constitution where the laws of the land are not in order. The public must buy its securities of the Stock Exchange; the world must go to the Board of Trade to buy its food, and the American farmer must sell his crops there. But, for all that, they claim to be "voluntary associations," intrenched within lines picketed against the law.

The sovereignty to which the Produce Exchange and the Stock Exchange aspire has been conferred upon the Chicago Board of Trade by an unbroken line of decisions by the Supreme Court of Illinois. Year after year, those who have been cornered on the Board by its rich syndicates have appealed to the Supreme Court, sometimes for prevention of the wrong, sometimes to remedy it. The monotonous response of the judges has been that the Board was a voluntary association, and that it was not amenable to the courts. The latest decision, just handed down, is a complete abdication of all the rights of the State to exercise any judicial supervision over this corporation, though created by it. Its effects will be felt to the farthest point where a bushel of American wheat or a barrel of Chicago pork seeks a consumer.

The victims of the wheat corner of last July appealed to the court for help on these grounds:

(1.) That, expecting to receive the wheat and intending to deliver it, they had bargained to supply it to certain persons, who had secretly formed a clique, and who, in order to make the performance of their contracts impossible, as well as to extort an outrageous price from the public, had bought up all the wheat in the market, and ten million bushels more.

(2.) That the clique had done this, criminally and fraudulently, and then demanded ruinous damages of them, under the guise of fictitious prices.

(3.) That they had been compelled by the Board against their will to submit the settlement of this claim to a special tribunal of the Board, outside the arbitration committee.

(4.) That this tribunal was instituted in violation of the constitution of the State, the charter of the Board, and under an illegal by-law.

(5.) That it had not been made up even as required by this

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by-law, and that its procedure had not followed the rules of the Board.

(6.) That it had excluded necessary evidence, had admitted improper evidence, and had been guilty of gross misconduct and fraud.

(7.) That it had made an unjust decision contrary to the rules of the Board and the laws of the land, awarding heavy damages to those who, by conspiracy, had made it impossible for them to fulfill their contracts.

(8.) That from this decision there was no appeal.

(9.) That unless the court would immediately interfere to prevent the Board from acting on this decision, they must either pay these cruel and fictitious damages or be expelled without charges, trial, or notice; be deprived of their membership in the only Exchange where they could carry on their business, worth at least $15,000 a year to them; that their seats, worth $3,800 each, would be taken from them, and with these their share in the capital of the Board—$200,000—and its surplus of $275,000; and that the consequences of this, to them, their families, their reputation, and their business, would be irreparable, and not to be made good by any money compensation.

To all these statements the Board, in serene reliance on the previous decisions of the court, made answer, in three lines, that all these things might be so, but that it was none of the court's business; and the court said the Board was right, and denied the petition. By this decision the court declared itself the ally of the makers of unnatural prices for food. Hundreds of thousands of dollars were paid, the next morning, to the clique as a penalty for not delivering to it wheat which was already in its possession. Nothing remains for this court but to decide that it could not interfere if the Board decreed that the bodies as well as the fortunes of the cornered should be divided up among the cornerers.

It seems incredible that this should be law in any civilized community, but it is law in the whole food world. This is more than Illinois law. There are years when one man in every three in England, and one man in every twenty in France, must live on American wheat, and every one of them is deprived, by this decision, of the protection of the law in buying his food. Buyers have no rights if sellers have none. Dante saw written over the

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door of hell: "All hope abandon, ye who enter here." On the threshold of the Board of Trade, the Produce Exchange, and the Stock Exchange, is inscribed: "Your rights resign within these walls."

This ends an era. Not even the Witch of Endor could have made Adam Smith believe, when he was laboring to prove that men did not deserve to be pilloried for buying and selling wheat, that within a century trading in food would be carried on with this absolute license, in markets of this power and finish. The jail, which was the habitat of the distrusted grain trader of his day, has become this palace of exchange, — capable of handling the world's surplus in an afternoon; fixing the price of real wheat by that of fiat wheat; connected by telegraph with the stomachs and bank accounts of Christendom; bringing all the owners of the crop into one place, and then overcoming them by a combination of capital, banks, and the courts; created to apportion the food of nations, and perverted to make artificial famines; a field for free contract, where the most profitable business is conspiracy to make the performance of contracts impossible; a creation of the State but declared officially to be above the law. "Progress" can go no farther than this. It is of no use for generous souls in search of a Cause to take the stump for freedom of contract here. They are a century too late. The fatality of their environment is against them. Freedom has o'erleaped herself.

If courts of summary jurisdiction, picturesquely called Courts of the Dusty Feet, were a necessity of the mediæval fair, which was the chrysalis of the modern Exchange, they are a thousand times more necessary now when business is done by electricity. No Exchange could survive the delays of the ordinary courts. But these summary tribunals must be courts of justice, not of injustice. They are to exist only as quicker ways of affording the same remedy for wrong as would be afforded, but with less celerity, by the courts. They must not be handed over to the cliques for purposes of spoliation. The rights of the farmers, the traders, the consumers, are of too vast importance to be abandoned to tribunals above the law, and composed of the members of the guilds that allow such uses as we have described to be made of them. The members who are the "judges" of these tribunals are men preoccupied with their own business. They are ignorant of the law and the rules of evidence. They

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are constantly trading in the market, and are almost certain to be interested in one way or another. They may sometimes be the brokers of the very cliques who appeal to them to secure the results of their own conspiracy. They are certainly swayed by the false notions of business honor and morality which prevail in these Exchanges. Contracts are sacred, but the obligation is mutual. When you bind me to deliver you wheat or pork, it is you who break the contract if you prevent me from getting it.

"But these are gamblers." Too many of them are. But their dice are loaves of bread. The chances they take are the chances of human life. Real prices all over the world rise and fall with their gambling prices. That they may play their game of forfeits inside the Board, thousands who cannot get enough to eat must act tragedy outside. Civilization forms an acquiescent ring around these thugs of the Board and Produce Exchange, when it knows that every movement of their struggle within intensifies the universal struggle for existence without. It is unendurable that the courts of the Board and the courts of the State should permit one set of gamblers—even to punish another set of gamblers—to force the prices of bread and meat to starvation figures.

By the use the Exchanges have made of this privilege of having courts of their own—which, in the case of the food markets, under pretense of settling differences among the members, literally permit them to rob the world of its daily bread—they have invited the indignant interference of the public. Summary tribunals the Stock Exchange, the Board of Trade, the Produce Exchange must have, but they must not be such tribunals as these. The trunk line railroads have put railroad civilization ahead a generation by abandoning private war and referring their quarrels to the arbitration of such a man as Charles Francis Adams, Jr., an outsider, expert and just. Something like this must be done to civilize the combats on the Board of Trade. All the markets are being paralyzed by manipulation. They can be saved only by the establishment of tribunals, of competent and disinterested men, to settle the disputes that arise in the course of business and cannot wait for the courts. These official arbitrators could be assisted, if need be, by arbitrators chosen by the disputants. They should be empowered not only to receive evidence as our judges do, but, unlike them, to send out for any

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evidence that they wanted. Above all, the supremacy of the law should be acknowledged, and the sacred principle enforced that he who asks equity must do equity. If an outsider can solve railroad disputes,—the most intricate that arise in any business,—Board of Trade issues can be settled as easily. Those who desire to prevent gambling and plundering from becoming the chief ends of the Exchanges can do nothing more useful than to bring them back within the jurisdiction of the law. The courts have disciplined the Common Carrier for generations; it is time to bring the Common Trader within the fold. None but national regulation will do this effectually. If New York attempts to control the evil, it will emigrate to Chicago, and Illinois could only drive it to St. Louis. When capitalists combine irresistibly against the people, the Government, which is the people's combination, must take them in hand. One of the unmistakable signs of the inability of the legislative committee that recently investigated corners in New York to grasp their subject was their failure to see anything out of the way in the attitude of the Exchanges toward the law.

Dr. Drysdale, of London, at the last session of the Social Science Congress, pointed out how the death rate rose with scarcity of food. The mean age of the rich in England, at the time of death, is fifty-five; among the poor it is not thirty. The death rate among the children of the comfortable classes is eighty in a thousand; among the working people of Manchester and Liverpool it is three hundred in a thousand. Dr. Farr shows that the death rate of England decreases three per cent. when wheat declines two shillings a quarter. As food grows dear, typhus grows plenty. Scarcer bread means more crime. An increase of one larceny to every hundred thousand inhabitants comes with every rise of two farthings in the price of wheat in Bavaria. The enemies of the men who corner wheat and pork could wish for no heavier burden on their souls than that they should be successful. As wheat rises, flour rises; and when flour becomes dear, through manipulation, it is the blood of the poor that flows into the treasury of the syndicate. Such money costs too much. The following from the records of the Chicago market shows how the wheat corners of the last four years have enhanced the price of bread. The coincidence is doubly significant, because flour is not one of the speculative commodities of the Board. It is bought and

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sold only for use. But its prices are glued to the speculative quotations of wheat:

THE CORNER OF 1879.

Wheat lowest, January, $81\frac{1}{2}$; highest, December, $1.33.
Flour lowest, January, $4.00; highest, December, $6.50.

THE CORNER OF 1881.

Wheat lowest, February, $96\frac{1}{8}$; highest, October, $1.43.
Flour lowest, February, $4.75; highest, September, $7.50.

THE APRIL CORNER OF 1882.

Wheat highest, April, $1.42; falling to $91\frac{3}{4}$ in November.
Flour highest, May, $6.25; falling to $4.75 in December.

The return of the price after the corner does not fill the stomachs that have been pinched for months. Every moment the corner lasts there is a mouthful of food the less for the laboring man. Every hour of its continuance some child in Pittsburg or Manchester grows more faint, and every day hundreds of little hands let go another finger from the slippery edge of existence. One of the iron manufacturers of the West, President O. W. Potter, of the North Chicago Rolling Mills, the employer of many thousands of men, when questioned in May about the strike of iron-workers, then believed to be impending, and promising to be the worst that had yet taken place in this country, said:

"The laborers oppose the reduction of wages for the very good reason that they cannot live upon any lower wages. And that is true. They cannot stand the reduction with the high price of living. There are some things that are not to be talked about in public that bring this about, and one of them is the cornering of food on the Board of Trade. A few men manipulate the foods of the workingmen, and create a corner in wheat and meats, and the laborer has to pay the increased cost. They turn the screws, and up go the prices a notch or two. And they may let up so that the market goes down a little; but all the time a few men are making money, and the laborer gets no better fare and pays no lower price for the necessaries of life. I am apprehensive of the results that all this will bring about, and there is more anxiety in certain quarters about the future than people dare to imagine."

Carlyle has handed down Louis XV. to us as "the great regrater of bread." The sweetest epitaph on any tomb is on the

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stone to the memory of Sir Robert Peel: "He gave the poor cheap bread." The Carlyle who hunts through the newspapers of this generation, for the history of its people, will dig the regraters of our Boards of Trade and Produce Exchanges out of their obscurity, to write against their names: "They made bread dear."

HENRY D. LLOYD.

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WOMAN IN POLITICS.

MORE than a quarter of a century ago a strong and determined effort was begun to obtain for woman a coördinate influence and power with man in the management of her own individual affairs and in the regulation of those of the public at large. Originating with members of the female sex, the movement was at first confined to a limited portion of the United States, and was conducted by a few advanced and perhaps abnormally constituted women, to whom in a short time were united a half dozen men of similar tendencies and characteristics. One of the principal objects of many of the women appeared to be to make themselves look as much as possible like men. They cut their hair short, parted it on one side, and displayed longings for short frocks and trousers. Strange to say, the men who affiliated with them exhibited inclinations toward femininity. They wore their hair long, parted it in the middle, and donned coats the skirts of which almost touched their heels. Both sexes of this advance guard were, however, of one accord in their abuse of the average man and woman. The first they professed to regard as a tyrant and a monster, to be held up to execration for his wickedness, while the other was a faint-hearted slave, in whom thousands of years of captivity had annihilated the overwhelming mental and physical vigor she had originally possessed, and who now for her abject subserviency to her oppressor was entitled only to the scorn and contempt of her more enlightened and progressive sisters and brothers.

At first the attempt to emancipate woman from the thraldom in which she was supposed to exist was met both by good-natured derision and stern denunciation. It was either looked upon as a joke or its promoters were regarded as being outside the pale of decent society. But, whether treated with ridicule or abuse, the asserters of "woman's rights" were almost universally regarded

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as a set of impracticable fanatics who, being disappointed in their efforts to get husbands or wives, or else unhappy in their domestic relations, were levying war against the very foundations of society, and endeavoring in their mortification and rage to make their fellow creatures as miserable as they were themselves.

But, as generally happens when the adherents of a creed or a system are energetic and unscrupulous in its propagation, the originators of the movement in question little by little obtained the countenance and active support of many persons of well-balanced and erudite minds. It began to be recognized that there was a good deal of truth in the mass of platitudes and absurdities which the short-haired women and long-haired men enunciated. Their yearly gatherings became more and more respectable, and many newspapers and magazines supported more or less fully the doctrine of the equality of the sexes. Eventually it came to be acknowledged, through the action of that spirit of fairness which is at the bottom of human nature, that the field of woman's usefulness to herself and the world at large was unduly circumscribed; her right to labor in her own way for her own support and that of those dependent upon her was—grudgingly, in some instances—conceded; the learned professions of medicine, theology, and law were, in a measure, opened to her; she was permitted to fill certain public offices, and in some States a restricted franchise was conferred upon her. At the present time she can practice medicine almost anywhere in the civilized world; several religious denominations permit her to expound their faith; some of the States of the Union admit her to the bar, and one Territory gives her judicial powers. Her right to work in any field of labor she may select is granted; her person and property are as well protected by the law as those of man; she has all the rights and privileges necessary for her material and mental prosperity, and she is not required to serve in the militia or the *posse comitatus*, to sit on juries or to take her turn at the pumps of a sinking ship. But she still contends—or, at least, those who assume to represent her do—for the rights of co-education, of unrestricted suffrage, and of holding political office. The first of these demands does not come within the scope of the present discussion. The other two we propose to consider briefly, and to show that, in our opinion, grave anatomical and physiological reasons demand not only that the progress of the revolution should be arrested, but that,

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contrary to the ordinary course of procedure in other revolutions, this one should go backward.

It may be asserted, without fear of successful contradiction, that the governing power of the world is to be found in the brain of mankind. If it were not for the predominence in this respect which the human species exhibits over the lower animals, it is quite certain that they would long since have swept their present masters from the face of the earth. The mere fact that they do not possess the faculty of combining so as to act in concert against man is of itself sufficient to prevent so dire a catastrophe. Their brains are neither sufficiently large, nor is their cerebral structure highly enough developed, to admit of their carrying out, or even of conceiving, a systematic plan of operations against the order of created beings which now holds them in subjection. Brain, therefore, being the matter which by its inherent power of evolving the mind places the beings possessing it in the highest degree of perfection, at the head of creation, it is important to ascertain, in the determination of the question before us, what are the essential points of difference between the mind-producing organ of man and that of woman.

In the first place, the brain of man is larger than that of woman. Very many observations made by different investigators in different parts of the civilized world lead to a general accordance of results on this point. It is quite true that the brains of some women are larger than those of some men, just as some women are vastly superior mentally to some men. But the question is to be determined not by taking a plus extreme in the one instance and comparing it with a minus extreme in the other, but by taking the average of many examinations, or by comparing plus with plus and minus with minus. The average difference has been variously given by different authors as being from four to six ounces, according to the nationality of the subjects; but the mean as established by Welcker appears to be about as correct as such determinations can be made. This observer found the average male brain to weigh one thousand three hundred and ninety grammes, or about forty-nine ounces, and the average female brain twelve hundred and fifty grammes, or about forty-four ounces, showing, therefore, a difference in favor of the male brain of five ounces. The proportion existing between the two is as one hundred to ninety; that is, the average male brain is ten per cent. heavier than the average female brain.

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But relatively to the weight of the body in the two sexes, there is no essential difference in the weight of the brain. The body of the female is shorter and altogether of slighter build than that of the male. The difference in stature is about eight per cent., so that relatively to her height the brain of woman is but two per cent. less in weight than that of man. In a series of eighty-one males cited by Quain from the records of several observers, it was found that the weight of the entire brain and that of the body at the age of twenty years and upward bore the proportion to each other of 1 to 36.5, and in a series of eighty-two females as 1 to 36.46. The proportionate weight of the brain in the two sexes does not, therefore, according to these figures, differ materially. Really, however, the matter is not of any psychological importance, for numerous observations show beyond doubt that the intellectual power of an individual does not depend upon the weight of the brain relative to that of the body, so much as it does upon absolute brain weight. If the reverse were the fact we could increase the intelligence of a fat man or woman by subjecting him or her to a Banting system of diet, or produce a contrary effect by feeding a thin person on fat, starch, and sugar. It has not been observed that emaciated individuals are endowed with superior mental qualifications, or that corpulency necessarily tends to the production of imbecility. Moreover, there have been many determinations of the weight of the brain in individuals who had been remarkable for intellectuality, and though the weight has been in excess of the average, it has never been noted that there was any relation between the intelligence and brain-weight on the one side and the weight of the body on the other. Generally speaking, the size and weight of an individual's brain are in direct relation to the mental capacity, and though there are some exceptions to this statement, they are not enough to invalidate the general conclusion. In ten men remarkable for their intellectual development the average weight of the brain was 54.7 ounces, or 5.7 ounces above the average weight of the male brain. Of these, the brain of Cuvier, the great French naturalist, weighed 64.5 ounces. Not only is there no record of a healthy female brain reaching this weight, but the number in which the weight has gone over fifty-five ounces is exceedingly small. However, when we compare the largest male with the largest female brain, the average difference of five ounces is very much exceeded. Thus, of two hundred and

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seventy-eight adult male brains, the maximum weighed sixty-five ounces; while of one hundred and ninety-one adult female brains, the maximum was only fifty-six ounces—a difference of nine ounces, or nearly double the average.

The female brain, however, is not only smaller than that of man, but it is different in structure, and this fact involves much more as regards the character of the mental faculties than does the element of size. Thus, accurate measurements show that the anterior portion of the brain comprising the frontal lobes, in which the highest intellectual faculties reside, is much more developed in man than in woman, and this not only as regards its size, but its convolutions also. Taking 100 as representing the entire length of the brain, the frontal development in man will be expressed by the figures 43.9, while in woman it will be indicated by the figures 31.3. Now, the part of the brain which is especially concerned in the evolution of mind is the gray matter constituting the cortex, and this is increased or diminished in accordance with the number and complexity of the convolutions. The frontal lobes contain a greater amount of gray cortical matter than any other part of the brain, and they are, as we have seen, larger in man than in woman.

Again, it is only necessary to compare an average male with an average female brain to perceive at once how numerous and striking are the differences existing between them. Not only is the former longer, but its vertical and transverse diameters are greater proportionally than those of the latter, and hence the shape is quite different. Moreover, its convolutions are more intricate, the sulci are deeper, the secondary fissures more numerous, and there is some reason for believing—though the observations on this point are not perhaps sufficiently numerous to warrant the positive assertion—that the gray matter of corresponding parts of the brain in the two sexes is decidedly thicker in man than it is in woman. It is quite certain, as the observations of the writer show, that the specific gravity of both the white and the gray substances of the brain is greater in man than it is in woman.

It is not necessary, therefore, in order to the advancement of the view to be presented in this connection, that we should insist upon the fact that as man has more brain than woman he must possess more mind. The question we design to submit is not so much one of quantity as it is of quality. The brain of

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woman is, as we have seen, different from that of man, and difference of structure necessarily involves difference of function. Doubtless, it is perfectly adapted to the proper status of woman in the established plan of nature, and for that very reason it is not suited to the work which is required of man's brain. It is a brain from which emotion rather than intellect is evolved, and this circumstance, while it constitutes one of the strongest factors among those which are concerned in the preservation and happiness of the human species, is, at the same time, one which thoroughly disqualifies her in whom it is manifested for those sterner duties which must be performed through the exercise of the intellectual faculties. The best wife, the best mother, the best sister, would inevitably make the worst legislator, the worst judge, the worst commander of a man-of-war.

To this great preponderance of the emotional over the intellectual nature is due the fact that very few women are capable of an intense degree of abstract thought, no matter how much education they may have received. The female brain, besides being an emotional, is, like that of the quadrumana, an imitative brain. It is not capable of originating, though it copies well. No great idea, no great invention, no great discovery in science or art, no great poetical, dramatic or musical composition, has ever yet emanated from a woman's brain. There have been two or three second-rate female painters, and perhaps one first-rate female novelist,—and when that is said, all is said. Who, however, will venture to say that the brain which evolves a mother's love, a wife's fidelity and self-abnegation, a sister's devotion, a woman's gentleness, forbearance, and constancy, is not a better brain than the one that prompts to the making, executing, and interpreting of laws, to arctic voyages, to the discovery of electric telegraphs, or to the building of wonderful suspension bridges?

As woman cannot reason abstractly, neither can she reason exactly. She does not, in fact, while having an abhorrence of falsehood, understand the necessity for being exact in the ordinary affairs of every-day life. She tells her physician, for instance, that she "has eaten nothing for a month," and if pressed as to whether she means what she says, replies that really she "eats nothing at all," and if still further pressed and requested to consider for a moment the meaning of the words she uses, answers, with entire unconsciousness that there is any

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difference in the two statements, that she may "take a roll and an egg and a cup of coffee for breakfast, and an infinitesimal piece of chicken and a modicum of pie for her dinner," but that she does "not call that anything." On account of her inability to be exact in regard to her age, the diseases she may have had, her mode of life, and other matters in which exactness is required, life insurance companies decline to issue policies to her. For the like reason, many corporations which loan money will not lend to women, though the security be as good as gold itself.

It is owing to this difficulty of being exact that the female mind experiences overwhelming obstacles in the study of mathematics. It is not a matter for surprise that the schoolgirl, under the idea that she must pursue the same course of study which experience has shown to be most advantageous for boys, suffers with headache and other symptoms of disordered cerebral action when she ventures into the domain of spherical trigonometry and the differential calculus. The attempt to convert a woman into a mathematician is generally very much like trying to make a hare drink brandy and soda. You may, it is true, sometimes succeed, but then you find not only that the animal has acquired a useless accomplishment, but that the qualities characteristic of a hare have disappeared. It is made very uncomfortable, and for all leporine uses it is irretrievably ruined. The example of Mrs. Somerville, the one mathematical woman of the age, will doubtless, occur to some persons as an instance in opposition to this view. But an occasional exception is to be looked for, and does not invalidate the correctness of the opinion expressed. Besides, this lady is chiefly remarkable for the fact that she was a woman. She made an abridgment of Laplace's "Mécanique Céleste," and wrote two or three excellent works on the physical sciences, all very creditable productions, but scarcely sufficient, had she been a man, to cause her name to be very widely known. As one of the most friendly of her biographers says, she never reached the grade of original observation or ideation.

A strong point in the mentality of woman consists in her intuitions, which, other things being equal, are perhaps more apt to be right than wrong. She will often "jump" at a correct conclusion with a wonderful degree of promptness and accuracy, which reason would reach with slowness and difficulty, if at all.

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There is nothing of intellectuality about the process, so far as we can perceive. If asked for her reasons, she has either none to give, or those she alleges are altogether irrelevant or insufficient. She is in this respect like the East Indian judge, of whom it was said that his decisions on points of law and equity always commanded respect till he gave his reasons for them, and that then they appeared to be ridiculous.

But whether the results of unexplainable mental vision, unconscious cerebration or of some other mysterious psychical process, intuitions often stand a woman in good stead, and are not to be recklessly disregarded by those for whose benefit they are evolved. Valuable as they are, however, in the absence of any better guides, it would scarcely do for the governor of a State to trust to them in the performance of his official acts, the judge on the bench to rely on them in questions of law, or the mathematician to wait for them to appear when engaged in solving a difficult problem.

But there is a peculiar neurotic condition called the hysterical which is ingrafted on the organization of woman, which, so long as it does not pass certain limits, is a normal feature of her being, and which is met with in a greater or less degree in all females of the human species. It is the result of the advanced development of the emotional part of her nervous system, and has existed, at least, since the earliest historical period with women of all nations, of all degrees of civilization and of all varieties of physical and mental traits. It is the cause of all the most charming features of woman's character and disposition, so long as it does not acquire an undue preëminence. But as it is at any moment, and often from slight causes, liable to burst out into unexpected and uncontrollable paroxysms in which all the mental and physical faculties are perverted from their normal course of action and thrown into a condition of the most astounding turbulence, its possession entirely unfits her for emergencies or difficult situations in general. In every woman there is, therefore, a potentiality for irregular, illogical, incongruous, and altogether inharmonious conduct under circumstances which require the utmost degree of presence of mind and discretion. She is in this respect not unlike a package of dynamite, perfectly harmless till some one disturbs the equilibrium of its particles, but then a power, the precise limit of which it is impossible to predict with accuracy.

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At all times disposed to judge rather as she feels than as she thinks,—if she thinks at all on the subject at issue,—she is entirely wanting in that type of mental organization known as the "judicial mind." Abstract justice in a case in which her emotions are involved is an impossibility with her, and however much this peculiarity may dispose those whom she loves, and who profit by it, to condone its exercise, it is one which those who are obnoxious or indifferent to her may well regard with fear and trembling. Her likes and dislikes are paramount with her; the question of right or wrong is a secondary consideration. She will sacrifice her own happiness, her life, and all considerations of duty to others and the public at large for some man whom she loves, and punish with merciless severity those who, though innocent of crime, have desecrated her ideals or have otherwise rendered themselves unpleasant to her. And it is also a notable fact that, in matters submitted to her judgment, in which she may originally have had no personal interest, and which, therefore, she would *a priori* be capable of deciding with impartiality, she becomes biased through some trifling act of kindness or courtesy shown her—a look, a tear will sometimes be sufficient—by one of the parties, and pronounces an opinion at which Justice starts back in dismay. It would not be at all outside of the potentialities for a female judge upon the bench to do all in her power to favor the plausible, handsome, gentlemanly rogue who tenderly cared for his sick mother and lame sister, though evidence as impregnable as Gibraltar showed him to have committed a crime; while the dirty, drunken blackguard and ruffian who cruelly beat his children would go to prison, if she could send him there, for an offense which irrefragable testimony might prove that he could not possibly have committed. Shakespeare, in his portrayal of the character of Portia, shows that he was thoroughly acquainted with the hysterical element as a factor in the mental organization of women.

The conferring of the franchise upon woman ought, in common justice, to carry with it the right to hold any office for which she might have the privilege of voting. Her sex ought, in such an event, to be no bar to her being a governor, a chief justice, or any other functionary named to office by the people or other appointing power. It is to be hoped, however, that matters will not reach a more advanced point than that to which they have already attained. Nothing could be more

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derogatory to the true dignity of woman, or more unfortunate for the human race, than the dragging of her from the honorable position which she now occupies and for which her mental and physical peculiarities so eminently fit her, and the imposition upon her of duties which she could not, in the very nature of things, be expected to perform with efficiency and impartiality. There are many offices the functions of which are of a clerical or other routine character, for which she is admirably qualified, and which, therefore, she could fill with advantage to herself and the public. But those in which force of intellect, a power of disinterested judgment, and enlarged views of public policy are required, must ever continue to be occupied by man. While women remain in the sphere of life for which nature intended them we shall continue to see, as the ages roll on, better women, and, above all, better men to look after the interests of humanity according to their natural and unchangeable powers.

WILLIAM A. HAMMOND.

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HENRY GEORGE'S SOCIAL FALLACIES.

THE course of economic discussion during the past few months has taken a wholly unexpected turn. Without any cause existing, so far as one can see, in the economical relations of society, the question of private property in land and of the influence of rent upon the distribution of wealth has been precipitated upon us almost as if it were a new question. Whatever may be true of France or Germany, never in England has the discussion of the equities and the economies of landed property been so active and earnest as now; while in the United States we find a large measure of popular attention bestowed upon a work, the fundamental proposition of which is that "the recognition of exclusive property in land is necessarily a denial of the right of property in the products of labor," and the author of which not only appears as a welcome contributor to the press, but is greeted in crowded public meetings as the apostle of great sociological and economical reforms.

Mr. George's work was published in 1879; but, though it had a ready sale and attracted not a little attention, it created its first sensation when reprinted abroad. In Great Britain, the success of this book has been truly remarkable.

"It is not," says the London "Quarterly Review," "the poor, it is not the seditious only, who have been affected by Mr. George's doctrines. They have received a welcome, which is even more singular, amongst certain sections of the really instructed classes. They have been gravely listened to by a conclave of English clergymen. Scotch ministers and non-conformist professors have done more than listen; they have received them with marked approval; they have even held meetings and given lectures to disseminate them. Finally, certain trained economic thinkers, or men who pass for such, in at least one of our universities, are reported to have said that they see no means of refuting them,

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and thus they probably mark the beginning of a new political epoch."

Such a reception could hardly be accorded an American book abroad without awakening new interest and stimulating a wider demand for the work at home. There is no reason to suppose that Mr. George's doctrines have yet deeply infected the public mind of the country; yet the ingenuity and eloquence of the writer must produce no inconsiderable effect upon any reader, however intelligent and however fortified by economic study.

Mr. George's attack on landed property is twofold: from the side of natural rights, and from the side of the economic interests of society. With the former this paper has nothing to do. The appeal to such considerations, in the discussion of such a subject, is either absurd or impertinent, since, if "the social dividend" be increased by the system of private ownership of land, that system stands approved on economic grounds, and the appeal to natural rights involves a manifest absurdity as an appeal against the interests of the party in whose name the appeal is taken; while if, on the contrary, the system diminishes "the social dividend," then is it condemned on economic grounds, and nothing further is needed to establish either the expediency or the equitableness of a return to common ownership. And this subjection of the tenure of the soil to economic principles is not something to which Mr. George will take exception. On the contrary, he claims to write as an economist. Let us, then, proceed to examine his work from this side.

I shall not enter into any discussion of Mr. George's proposition that "Wages are produced by the labor for which they are paid." Were this proposition false, we could concede him all the benefit to be derived from its use, and still disprove the main positions of his work. But the proposition contains much truth, although the author's efforts to disparage the importance of the contributions made to current production by capital accumulated in the past involve a fearful straining of economic facts and economic conditions.

As we said, the proposition that "wages are produced by the labor for which they are paid" contains much truth. So far, however, as the proposition is true, it is not original with Mr. George. Prof. Stanley Jevons, in 1871, announced the doctrine that "the wages of a workingman are ultimately coincident with what he produces, after the deduction of rent, taxes, and

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the interest of capital."* Nor shall I take the reader's time for a discussion of Mr. George's attempted refutation of Malthus's law of population. Here, again, we might concede this writer all he claims, however erroneous, without giving him ground on which to establish the subsequent truly monstrous propositions of this book. There is nothing original in Mr. George's attack upon Malthusianism; and we should use time that might be more profitably employed were we to recite his threadbare arguments. That which is original in Mr. George's work is the enormous power assigned to rent as a factor in the distribution of wealth. Here his admirers may justly claim for him all the credit of first discovery. No other writer, so far as I am aware, ever attributed to rent anything approaching the same degree of importance.

Mr. Mill, weighed down by a sense of the injustice of allowing the large annual increment in the value of land to pass, unearned, to the landlord, proposed, in 1871, that the State should assert the right of the community to this body of wealth; but Mr. Mill never dreamed of advancing the theory that rent tends, in the progress of society, to absorb the entire gain in productive power and even more than the gain.

On the other hand, we have the recent work of M. Leroy Beaulieu, in which that eminent statistician and economist takes the ground that rent, real economic rent—that is, the compensation paid for the use of the natural powers of the earth, considered separately from the return for improvements effected in the soil by capital and labor—has already sunk to a minimum. M. Leroy Beaulieu declares rent to be no more than the merest mole upon the industrial body; Mr. Mill regards it as an open sore, a drain upon the vitality of the State, which should be checked by stringent surgery and cautery; Mr. George looks upon rent as a cancerous evil, which, growing by what it feeds upon, draws into itself, more and more, the vital forces of the community, extending its deadly influence further every day, and drawing ever nearer to the seat of life.

Reduce rent, as an element in the distribution of wealth, to

*In the pages of this REVIEW, in January, 1875, I laid down the following proposition: "Wages are really paid out of the product of current industry; and that product bears no constant relation to capital. Capital only affects wages as it first affects production. Wages, therefore, stand related to product in the first degree, and to capital only in the second degree."

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the importance assigned it by Mr. Mill, and Mr. George's work would be emptied of all original significance. It would remain no more than a passionate tract, in advocacy of the proposals put forth for the nationalizing of the land by the British Land Tenure Reform Association, of which Mr. Mill was president, twelve years ago. Here, then, right here, in the highly magnified importance assigned to rent, we find all there is of Mr. George's work which has originality or novelty. Let us, therefore, confine ourselves strictly to this point.

In the first place, I remark, negatively, that Mr. George does not attack property in general. He does not rail at capital or impeach its claim to recompense. On the contrary, it is a part of the charge he brings against rent, that it tends more and more to absorb the rightful gains of capital as well as of labor. In the second place, Mr. George is not an opponent of the Ricardian doctrine concerning rent. The law of rent is, he says, "correctly apprehended by the current political economy." Indeed, so far is Mr. George from being an opponent of the Ricardian law, it is in the unheard of extension which he gives to this principle that the essence of his teaching consists.

Let us now proceed to state Mr. George's position affirmatively. As we have agreed, for the purpose of the present discussion, to concede the sufficiency of his arguments in refutation of the doctrine of Malthus, we will, for simplicity, follow Mr. George only in his analysis of the effect of rent acting upon a stationary population.

What, then, fundamentally, is his position? "Irrespective," he says, "of the increase of population, the effect of improvements in methods of production and exchange is to increase rent." The proof of this is as follows, in his own words:

"Demand is not a fixed quantity that increases only as population increases. In each individual it rises with his power of getting the things demanded. . . . This being the case, the effect of labor-saving improvements will be to increase the production of wealth. Now, for the production of wealth, two things are required,— labor and land. Therefore, the effect of labor-saving improvements will be to extend the demand for land. . . . And thus, while the primary effect of labor-saving improvements is to increase the power of labor, the secondary effect is to extend cultivation, and, where this lowers the margin of cultivation, to increase rent.

"Thus, where land is entirely appropriated, as in England, or where it is either appropriated or is capable of appropriation as rapidly as it is needed for use, as in the United States, the ultimate effect of labor-saving machinery or improvements is to increase rent without increasing wages or interest."

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And he concludes, after frequently repeating and illustrating this statement, with the following proposition:

"Wealth, in all its forms, being the product of labor applied to land, or the products of land, any increase in the power of labor, the demand for wealth being unsatisfied, will be utilized in procuring more wealth, and thus increase the demand for land."

He says further:

"The mere laborer has thus no more interest in the general advance of productive power than the Cuban slave has in advance in the price of sugar. And just as an advance in the price of sugar may make the condition of the slave worse, by inducing the master to drive him harder, so may the condition of the free laborer be positively, as well as relatively, changed for the worse by the increase in the productive power of his labor. For, begotten of the continuous advance of rents, arises a speculative tendency which discounts the effect of future improvements by a still further advance of rent."

The last sentence will introduce to the reader Mr. George's second count in his arraignment of rent as the great social criminal:

"In rapidly progressing communities, where the swift and steady increase of rent gives confidence to calculations of further increase, . . . the confident expectation of increased prices produces, to a greater or less extent, the effects of a combination among land-holders, and tends to the withholding of land from use in expectation of higher prices, thus forcing the margin in cultivation farther than required by the necessities of production."

But this is not the end. The third and final count in this indictment is, that the speculative holding of land becomes the cause of incessant industrial disturbance and of great periodic convulsions of production and trade.

"The primary and fundamental occupations, which create a demand for all others, are evidently those which extract wealth from nature, and hence, if we trace from one exchange point to another, and from one occupation to another, this check to production, which shows itself in decreased purchasing power, we must ultimately find it in some obstacle which checks labor in expending itself on land. And that obstacle, it is clear, is the speculative advance in rent, or the value of land, which produces the same effects as (in fact, it is) a lock-out of labor and capital by land-owners. This check to production, beginning at the basis of interlaced industry, propagates itself from exchange point to exchange point, cessation of supply becoming failure of demand, until, so to speak, the whole machine is thrown out of gear, and the spectacle is everywhere presented of labor going to waste, while laborers suffer from want."

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This concludes Mr. George's arraignment of private property in land. It is upon what has been already presented, mainly in his own words, that Mr. George is to stand or fall as an economist.

It must be confessed that, if the three counts in this indictment be sustained, the author is fully borne out in his conclusion that "material progress does not merely fail to relieve poverty; it actually produces it," or, as he elsewhere says, "whatever the increase of productive power, rent steadily tends to swallow up the gain and more than the gain," or, again, "the ownership of the land on which and from which a man must live is virtually the ownership of the man himself, and, in acknowledging the right of some individuals to the exclusive use and enjoyment of the earth, we condemn other individuals to slavery as fully and completely as though we had formally made them chattels."

To a man who really believed a half, a quarter, or only a tithe of this, the conclusion which Mr. George announces at the close of the following paragraph would appear inevitable:

"As long as this institution exists, no increase in productive power can permanently benefit the masses, but, on the contrary, must tend to still further depress their condition. . . . Poverty deepens as wealth increases, and wages are forced down while productive power grows, because land, which is the source of all wealth and the field of all labor, is monopolized. To extirpate poverty, to make wages what justice demands they should be, the full earnings of the laborer, we must, therefore, substitute for the individual ownership of land a common ownership."

We cannot be greatly interested in Mr. George's practical recommendations for carrying out his proposals for "nationalizing" the land. Matters of this sort are generally left to statesmen, not to economists; and should ever the abolition of private property be decreed, there is little reason to hope that Mr. George would be called in to adjust the details of the scheme.

But let us proceed to inquire somewhat particularly into the validity of the economic argument by which Mr. George establishes the overwhelming importance which he attributes to rent as a factor in the distribution of wealth. If it can be made to appear that this argument embodies a series of gigantic blunders, shall we not be justified in affixing to his work the epithet of the "Edinburgh Review"—"a deleterious compound of anarchical principles and false political economy"?

I will not insist very strongly on the point, although a per-

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fectly valid one, that, while Mr. George's argument assumes that maximum economic rents, according to the Ricardian formula, are in all cases paid for the use of land, the contrary is the general fact. The United States and Ireland are, perhaps, the only considerable civilized countries in which "competition" rents have ever been paid, as a rule.

But passing this point, although it is of unimpeachable validity, since the entire effect of the causes indicated is to reduce the importance of economic, or competitive, rent in the distribution of wealth, let us take up, in reversed order, Mr. George's three counts against rent as the great social criminal.

And, first, how much is there in the allegation that commercial disturbance and industrial depression are due chiefly to the speculative holding of land?

That land, in its own degree, shares with other species of property in the speculative impulses of exchange, is undeniable. Doubtless, to destroy private property would remove speculation, just as cutting off the head is a sure and sovereign remedy for toothache; but Mr. George makes no point against private property in land, unless he shows that it is peculiarly the subject of speculative impulses. Now, this is so far from being either self-evident or established by an adequate induction, that the reverse is the general opinion of economic writers.

Probably the best case of speculation, for what may be called nosological economic investigation, is that induced by a large and sudden paper-money inflation. Here we get speculation in its purest form. Now, the history of paper-money inflations indicates that land, instead of rising first and furthest of all species of property, usually starts latest and stops earliest.

Of course there are circumstances under which speculative impulses may especially attack land. An instance of this is afforded by the history of land in California. Here was a community of a highly artificial character, having little normal trade or manufactures, whose chief industry, the mining of the precious metals, was already rapidly on the wane, when the opening of the transcontinental railway aroused the most extravagant expectations of a rise in the value of land. San Francisco was to control the trade of America and Asia; the wealth of continents was to be poured into her lap. A wild career of land speculation followed. Mr. George, as a resident of San Francisco, appears to have been completely carried away by his

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observation of this episode. What was local and accidental he has magnified into a universal and characteristic feature of speculation.

We now come to Mr. George's second count. The allegation that the enhancement of the value of land, above what should be regarded as the capitalized value of its present productive or income-yielding power, withdraws large bodies of land from cultivation, thus driving labor and capital to poorer or more distant soils, can only be characterized as a baseless assumption, for which not a particle of proper statistical evidence can be adduced, and which is contrary to the reason of the case.

Because, forsooth, a man is holding a tract of land in the hope of a rise in its value, does that constitute any reason why he should refuse to rent it this year or next, and get from it what he can, were it only enough to pay his taxes?

Doubtless, a certain amount of urban property is so withheld from present use, yet any one familiar with the city in which he lives can readily pick out hundreds, or thousands, of lots which are now occupied by cheap and temporary structures, whose rent pays the taxes and a part at least of the interest of the money borrowed for the purpose of holding the property.

Let us now proceed to deal with Mr. George's main proposition, that to which those already discussed are subsidiary; that which constitutes the most original feature of his system — the proposition, to wit, that "irrespective of the increase of population, the effect of improvements in methods of production and exchange is to increase rent," this effect being carried so far that "all the advantages gained by the march of progress go to the owners of land, and wages do not increase," the laborer having "no more interest in the general advance of productive power than the Cuban slave has in advance in the price of sugar"; capital, also, in its turn, suffering, and to an equal extent, since "the ultimate effect of labor-saving machinery or improvements is to increase rent without increasing wages or interest."

Now, this is not only false, but ridiculously false, blunder being piled on blunder to reach a conclusion so monstrous. It is, to start with, directly opposed to facts of common observation and to the results of economic statistics. Were a physiologist to announce the general proposition that all a man gains in weight above one hundred and fifty pounds goes to increase the brain, so that if a man of that weight has a brain weighing

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forty-eight ounces, a man turning the scale at one hundred and eighty pounds will be found to have a brain weighing thirty-three pounds, he would not invoke more deserved derision.

And, first, of wages: Sir James Caird, the highest authority in Great Britain in matters of agricultural economy, states that "the laborer's earning power in procuring the staff of life cost him five days' work to pay for a bushel of wheat in 1770; four days in 1840, and two and a half days in 1870." Sir James adds, "He is better lodged than he ever was before."

But Mr. George also asserts that the capitalist has suffered equally under the encroachments of the landlord. To this no better answer can be given than that of Prof. Emile de Laveleye: "Who occupy the pretty houses and villas which are springing up in every direction in all prosperous towns? Certainly more than two-thirds of these occupants are fresh capitalists. The value of capital engaged in industrial enterprise exceeds that of land itself, and its power of accumulation is far greater than that of ground rents."

So much for facts of common observation. But now let us examine Mr. George's line of reasoning directly.

"The effect," he says, "of labor-saving machinery will be to increase the production of wealth. Now, for the production of wealth two things are needed,—labor and land. Therefore, the effect of labor-saving improvements * will be to extend the demand for land." But not, also, for labor? If two things are required for production, land and labor, is it not possible that an increase of production may involve an enhanced demand for both these things, for labor no less than for land? But this is Pelion; Ossa lies groaning beneath. For it is not true that an increased production of wealth necessarily implies any enhanced demand for land whatsoever.

Here is a pound of cotton, the production of which makes a certain demand or drain upon the land. To that cotton, as the material of a textile fabric, may be applied, say, the labor of one operative for half an hour. Subsequent demands for the production of wealth may lead to the application of an hour's labor, producing a finer fabric; then, of two hours' labor, until, at last, the pound of cotton has been wrought into the most exqui-

* Mr. George elsewhere says: "In the improvements which advance rent are not only to be included the improvements which directly increase productive power, but also such improvements in government, manners, and morals as indirectly increase it."

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site product of the modern loom, yet with no greater demand upon the soil than in the case of the coarsest cloth.

But we may go further and assert that in the progress of civilization, which Mr. George describes as venting its whole economic force in causing a rise of rents, increase of production takes two great forms: one in which no increase whatever in the demand for land is involved; the other, where the increased demand for land falls short, generally far short, often immeasurably short, of the increased demand for labor.

Here is the rude furniture of a laborer's cottage, worth, perhaps, thirty dollars. The same amount of wood may be wrought into cabinets and tables, worth a thousand dollars, for the drawing-room of the millionaire. The steel that would be needed to make a scythe, worth eighty cents, may be rendered into watch-springs or surgical instruments, worth a hundred dollars. The actual material derived from the soil — canvas, paints, and frame — for a picture by Meissonier, seven inches by nine, worth ten thousand dollars, does not make so large a draft upon the productive essences of the soil as a chromo sold from a peddler's cart at two dollars. The peddler's old piebald horse eats as much of the actual produce of the earth as a blooded racer worth five thousand dollars.

These, of course, are extreme instances, taken for the purpose of showing graphically and briefly the tendency which exists, as civilization advances, to increase the amount of labor applied to any given amount of raw material.

But worse respecting Mr. George still remains. Let us no longer hold him accountable for the absurd proposition that all the advantages of increased production go to the land-owner, rent absorbing the entire excess, leaving nothing to go to enhance wages or to interest. Let us, in charity, concede that Mr. George never said this, and take up, finally, for consideration the proposition that it is the necessary effect * of improvements in the methods of production or exchange to increase rent at all. If we can disprove this, if we can show that Mr. George has rigged

* I trust I shall not be understood as denying that it is the effect of many classes of improvements, irrespective of increase of population, to enhance rent, though this is never carried to the full extent of the gain in productive power. Of course, where increase of population follows, rent rises naturally; but we are discussing Mr. George's distinct proposition, that, "irrespective of increase of population," it is the effect of every class of improvements, from whatever source, even through improvement in morals and social order, to enhance rent.

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his pumps the wrong way, like the officers of the French steamship L'Amérique, who pumped water into the hold of their vessel for a whole day and then abandoned her in a sinking condition, we may fairly conclude that the world has nothing to learn from this writer concerning the economics of rent.

Let us take two great classes of improvements: these will suffice to test the principle. And, first, of improvements in transportation. Is it the effect of improvements of this class to enhance rents? Absolutely and exclusively, the reverse. Whatever quickens and cheapens transportation acts directly to the reduction of rents, and cannot act in any other way,* since it throws out of cultivation the poorer lands previously in use for the supply of the market, thus raising the "margin of cultivation," and, by consequence, reducing rents. It is this cause, intensifying American competition, which has brought about such a terrific reduction of English rents within the past five or ten years.

But again, take the case of agricultural improvements. Improved processes of agriculture are of two kinds: one consisting of those which do not increase the amount of produce from a given tract of land, but diminish the labor and expense of obtaining it, such as better tools and machinery; the other, consisting of those which enable the same land to yield a greater absolute produce without an equivalent increase of labor, such as rotation of crops, subsoil plowing, tile-draining, etc.

Now, of these two classes, the former diminish rent; the latter diminish it still more. The former diminish it, since while by Ricardo's law — which Mr. George accepts in its entirety and integrity — the actual amount of the produce going to the landlord remains the same, the value of this produce, its power to command non-agricultural products, is diminished through the reduced cost of production. The latter class of improvements diminish rents still more, since, in addition to the effect just noted, the amount of the produce going to the landlord is reduced by the fact that the actual productive capability of the better lands being by the statement of the case enhanced, the poorer lands will be thrown out of cultivation, and thus the "margin of cultivation" will be raised, and the aggregate volume of rents will be diminished.

FRANCIS A. WALKER.

* "Irrespective of the increase of population," to use Mr. George's own voluntary qualification.

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CRUDE METHODS OF LEGISLATION.

THERE are in active operation in the United States one National, thirty-eight State, and eight Territorial law factories, which, aside from the Municipal legislative bodies, are producing during several months in each year new laws, printed in annual or biennial volumes of many pages. In the more densely populated and richer States of the Union, the annual coming together of the law-making power is regarded with apprehension, and its adjournment is followed by a feeling of relief on the part of those members of the community who do not actively engage in politics and who pay the taxes. Year after year has this abnormal state of feeling been voiced by the press with such similarity of expression, that custom has staled speculation on the situation, which has come to be looked upon as one of the evils of our environment, such as possible frosts in early June, that may destroy the fruit crop, or a drought, that may diminish the product of cereals. This want of confidence in our law factories does not arise merely from apprehension of the evils of inaction, but from the fear of their too mischievous activity. It is not the amount paid to the legislators in the way of salary that in the least awakens the alarm of citizens. It is the product which they create—their "output"—which gives rise to the liveliest misgivings on the part of the persons who consciously bear the public burdens, and who are the very men called upon to maintain the toilers whose combined labor is by them viewed with so much of distrust; in short, the tax-payer is called upon to maintain and support law factories, the product of which, as a whole, he regards either as useless or dangerous.

A community tolerates the existence of powder mills, notwithstanding their dangerous character, because their product is necessary for national defense, for industrial purposes, for

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mining operations, and for the sportsman. The benefits of the use of powder compensate, if such things may be compared, many thousand-fold for the evils endured. It would be folly, indeed, on the part of the community, were it to permit powder mills to be erected, if the danger and mischief of the results exceeded the advantages to be derived therefrom. It can scarcely be controverted that nine out of ten capitalists of the country would, if questioned, assert their belief that the legislatures annually do more harm than good at their sessions. As legislation is in its essence the highest, and should be the most beneficial, product of human effort, this state of facts is in itself evidence of a radically defective system of law production.

During the last days of its this year's session, two measures were before the Legislature of New York which curiously illustrate the remarkable condition of legislation in the United States. One was what was known as the "Aqueduct Bill," and the other was known as the "Pilotage Bill." The citizens of New York, at a public meeting and through the public press, said in most emphatic terms to the Legislature, that they preferred to wait another year for the initiatory steps to create a new aqueduct, rather than trust politicians with the building of it. Unless the measure placed the control of the expenditures in hands other than those of local politicians, in whom no confidence could be placed, New Yorkers were quite willing to suffer a little longer from an insufficient supply of water. Nevertheless, the Legislature passed the bill in an objectionable form, in order that "the boys" (the workers in politics) might get their fill of patronage and plunder.

The passage of the second bill, the Pilotage Bill, was urged by the Chamber of Commerce of New York, as a measure of relief from the excessive pilotage charges of the port of New York. This bill was advocated by all the interests which the Legislature was supposed to be called upon to serve, but it failed of passage. At a meeting of the Chamber of Commerce, after such failure was announced, Mr. Higgins, one of its members, said: "They sit there at Albany and simply laugh at us. They treat us with contempt and ignore our reasonable requests. Our liberties are fast being taken away from us by those politicians at Albany."

Is it not curious that the means which Americans have of reaching their legislative bodies after they are convened, and

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compelling them to do their bidding, is not much in advance of the methods of influencing legislation adopted by the subjects of the so-called "effete monarchies" of Europe when they desire to protest against or to forward a measure that may be before the council chamber or legislative body advisory to the king? In monarchies of a constitutional character, subjects may hold meetings to indicate public opinion, and to give intimation of punishment should public opinion be disregarded. The emperor and the Reichstag, or the king and Parliament (if the measure be one for the benefit of the governing body and against the interest of the general public), will consider the question how far public opinion is aroused and what risk is run, if any, by braving it. If they conclude that the risk is not very great, they pursue the even tenor of their way and disregard the demand. If, on the other hand, they conclude that disregard of the intimation may involve a loss of power, they will probably comply. In either event, it is a demonstration of force, depending for its success upon the estimate made by the Government of the amount of reserve power behind the demonstration. From this it would appear that in the United States, as in Europe, the Government is one thing and the people another. Viewed from the stand-point of constitutional history, the people and the Government are one, but institutionally a very great antagonism exists between governed and governors. In this country, the gap is not so wide as in some others, but it nevertheless exists, otherwise harbor-masters' bills would be passed without the necessity of pressure on the part of the Chamber of Commerce, and aqueduct bills would be passed without danger of their being manipulated in the interest of politicians. That the wishes and the interests of the people are not regarded, but that, on the contrary, the politicians are banded together under different names, as a guild of craftsmen, against the nterests of the people, is indicated by the fact stated at the outset of this article, that in almost every State of the Union where large interests are at stake, the convening of the Legislature is regarded with alarm, and its date of adjournment marked as a red-letter day in the calendar of the year.

Now let us seek a little further for the cause of this antagonism and the means of its removal. One of the causes is doubtless to be found in the all but universal adoption of a vicious system of representation, by which American communities are

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subdivided into geographical constituencies, each constituency being represented by a single member, elected by the majority of the electors in the district. This system is the source of the party machinery which is brought to a greater degree of completeness in the United States then elsewhere, and which brings with it all the evil elements of party tyranny. The substitution of a minority or personal system of representation for the geographical or district system would go far toward remodeling the personnel of legislatures, by substituting intellectual for geographical constituencies. The main difficulty, however, lies in the fact that improvements in legislative machinery have not kept pace in the United States with the financial and industrial development of the country. The great development of corporate wealth, and the almost infinite division of employments which the application of steam to industrial pursuits has created, bring upon the legislative bodies of every State having diversified industries and a considerable proportion of its wealth invested in corporate enterprises, a very strong pressure for special and local legislation to meet cases not provided for or not anticipated by the general law. In modern times, this pressure upon the legislative and administrative machinery of every community has been differently withstood in different countries. That under this pressure the antiquated machinery of legislation, adapted to the colonial days when industries were few, capital sparse, and the community homogeneous, constantly breaks down when used for modern legislative purposes, is not at all surprising. It would be wonderful if it did not break down. In modern engineering, when railway trains are to be carried across streams, railway bridges are built adequate to sustain them, and no attempt is made, from a reverential regard for the wisdom of the forefathers, to use bridges built by them for carrying a gig or a market-wagon. The remedy for many of the evils of mischievous legislation lies in improving legislation by the application of scientific methods so as to keep it abreast of the age. No legislative body can, in the present diversified and conflicting condition of individual interests, perform its duty, unless some other method than that which has prevailed in the United States is adopted, by which it may be informed as to the interests which call for legislation, and the effect such legislation will have upon those concerned. There is now practically no provision for giving notice to the community of

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intended changes in the law and for gathering information, while the Legislature is in session, of their possible or probable effects.

General laws should be the offspring of the Government as represented by the party in power, and should be carefully prepared before the convening of the legislative body by thoroughly competent jurists, under the direction of statesmen specially charged with the responsibility of legislation. To accomplish this end, it will be necessary to create in each State an organization somewhat similar to a Cabinet, to prepare public bills in advance of the session. For the performance of that function, the existing political State organizations are wofully defective as to general legislation. Even the Cabinet of the United States is a Cabinet of administrative officers, who do not consider themselves charged with the duty of preparing legislative measures for the session, and whose attempt to do so would be regarded as an intrusion; and in the several States there is nothing in existence even remotely analogous to the English Ministry.

The political party in power, having no legislative organism as to general public law through which it can be held responsible for the legislation of the session, throws the blame of slipshod work on the Legislature, and as that body dissolves at the end of the year, there is no responsibility of practical value. The public legislation of the States of the Union is, therefore, wholly dependent for its substance and form upon the somewhat personal or private interests which suggest the framing of a public law, and upon the accidental ability of members of the Judiciary Committee, who, even when competent, are compelled to work under a pressure inconsistent with the attainment of scientific results.

As to private and local legislation, the condition is still worse. The people of this country have wholly failed to draw the logical distinction between private or local legislation and public legislation. The Roman distinction between general law and *privilegia*, or *constitutiones personales*, has been obliterated. The latter do not, properly speaking, come under the head of legislation at all, but are in the nature of an immunity granted by the sovereign power from the operation of general law, or of a special privilege which is not generally conferred by law. Private and local bills, therefore, are in substance, and in their

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essential elements, judgments or decrees emanating directly from the sovereign power instead of intermediately from judges. They, however, partake of a judicial character. Says Sir Erskine May, in his book on "Parliamentary Procedure": "Parliament regards such laws as judicial proceedings, wherein persons whose private interests are to be protected appear as suitors for the bill, while those who apprehend injury therefrom are admitted as adverse parties in that suit."

The distinction, according to English ideas, between a public bill and a private bill is so fundamental that over the signature of the Queen to a public bill is used the expression "*la reyne le veult*"—it is the Queen's wish; to a private bill it is "*soit fait comme il est desiré*"—be it ordered as prayed for. It was only after the separation of the American colonies from England that the pressure of private interests for legislation and the evils of lobbying for the promotion of special interests arose. Our statesmen thought they were following English precedent in indiscriminately granting legislative powers, both in public and private affairs, to the legislative bodies of the several States. But it was forgotten that Parliament was the appellate court of last resort, and therefore used in private legislation judicial as well as legislative methods. It thus was able to surround its special legislation with certain safeguards, by enacting it under judicial forms, which gathered and sifted as far as possible all attainable information for the guidance of the legislator, and gave to adverse interests an opportunity to be heard by trained counsel in furtherance of and in opposition to a proposed private bill. Hence, even prior to the adoption of the Standing Orders, no great mischief was done in England by private legislation. In the United States, on the other hand, this power of special legislation was intrusted to the hands of inferior men, just at the time when the differentiation of employments, making private occupation more attractive than governmental employment, by the allurements of greater gain, caused the withdrawal from the public service of the most alert and intelligent members of the community. At the same time, a growth of corporate activities of great magnitude was developed from the very small germ which had existed in the eighteenth century. In the first half of the nineteenth century this growing power gradually took possession of, and to a certain degree controlled, the supply of commodities, the production of which had been greatly facilitated

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by labor-saving machinery. The most useful and profitable of these occupations were of such great magnitude and risk that they could not be carried on at individual expense, and were possible only to the capital to be gathered together under corporate management, with limited liability. The progress of invention was at the same time fast making the business of constructing highways and transporting goods thereon a private corporate function instead of a governmental function, and the growth of wealth was very much in excess of the development of refinement, self-restraint, and public virtue. These causes developed the lobby, which made its appearance in England with an activity a little more disguised, and with manifestations of corruption a little less glaring and vulgar, than in the United States. Francis, in his "History of the Railway," says: "Members of the House of Commons were personally canvassed, solicitations were made to peers, influences of the most delicate nature were used, promises were given to vote for special lines before the arguments were heard, advantages in all forms and phases were proposed to suit the circumstances of some and the temper of others. Letters of allotment were tempting, human nature was frail, and the premium on five hundred shares irresistible."

The demand for private legislation, notwithstanding the fact that in England public bills have a sort of royal right of way to which private legislation must yield precedence, began to press seriously on public legislation and materially to interfere with the public duties of Parliament and the administration of the empire. Therefore, in 1847, a code was adopted known by the name of the Standing Orders, which, together with the acts establishing the Royal Gazettes and notices of publication therein, created a very complete system of practice in relation to private bills. The provisions thereby made for securing the rights of parties applying for, and of parties resisting special legislation, are as well adapted to secure their end of preventing injustice by legislation, as are the codes of practice and rules of pleading and procedure which prevail in courts of law to prevent unjust transfers of property through judgments and decrees.

Thenceforth, in England, a bill not of a public and general nature was placed, in practice as well as in theory, upon a footing entirely different from that of a public bill, and was treated as a claim by an applicant for legislation as against the whole community, which was to be tried as though it were a demand against the people at large for so much money.

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All bills of a private or local character are divided into two classes. One of these embraces all bills which involve enlargements of powers of corporations or changes of acts incorporating public bodies or municipalities, which bills or amendments do not involve the exercise of the power of eminent domain. The other class embraces all bills which do involve the exercise of that sovereign power. These two classes embrace substantially the whole field of private and special legislation. Petitions for private bills, with copies of the proposed bills, must be deposited in the private bills office of the House of Commons about six weeks before the assembling of Parliament. In the case of bills of the second class, a plan of the work and a list of all owners along the whole line of the work whose interest may be affected or whose property is to be taken must accompany the petition, and notice of such petition and proposed bill must be published in the official gazettes and personal notice served on all persons whose land is to be taken *in invitum*, should the bill become a law. There are many other modes of procedure to be observed which, with few exceptions, need not be here noticed. If the bill is one which affects interests over which the Board of Trade exercises jurisdiction, such as canals, railways, or turnpikes, a copy of it must, in advance of the session, be lodged with the Board of Trade.

When the time has expired for depositing documents, opponents to the bills can, on examination determine whether the Standing Orders have been complied with. Should it appear that the Standing Orders have not been complied with, they may present and file in the same office counter-memorials of such non-compliance before the meeting of the officers, called examiners, whose business it is to determine whether the conditions preliminary to having the bill considered by the legislative body have been fulfilled. One of the examiners is appointed by the Speaker and the other by the House of Lords. They meet about a fortnight before the convening of Parliament. Notice is thereupon sent to the parliamentary agent who indorsed the petition, and to such as have in behalf of clients filed preliminary objections on the ground of non-compliance with Standing Orders, and on this preliminary issue a trial is had on these questions of practice only. When the petition and bills have passed this scrutiny,—to which unopposed bills, as well as those which are opposed, are subjected,—objections may be filed to the petition and clauses of the bills, which are thereupon introduced into the

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House of Commons or House of Lords. If it has been decided that the Standing Orders have not been complied with, and the parliamentary agent claims that there is reasonable excuse for non-compliance, the case can be referred to the committee of nine members on Standing Orders, who may, by report, overrule the examiners and recommend indulgence; but the cases are rare when such non-compliance is excused and the bill considered.

The bills which have passed this scrutiny are thereupon referred to the respective committees of the House of Commons, who proceed to divide them into two classes, one class comprising unopposed, and the other opposed bills. Those that are unopposed are, if they belong to the more important class of private bills embracing the exercise of the right of eminent domain, referred to the chairman of committees of the House of Lords, and also to the Board of Trade, to suggest amendments and to act as scrutinizers and critics of the powers intended to be granted. Lord Redesdale, who has been for many years chairman of committees of the House of Lords, exercises almost despotic power over private bills. His suggestion and amendments, aided as he is by the Speaker's counsel, in addition to his own counsel, are incorporated in the bill almost, as of course, as his long experience and high character as legislator and jurist make his opinion on a private bill authoritative with the House of Commons Committee. Even when the bill is unopposed, it is, after its reference to committee, considered in the presence of the parliamentary counsel, who in the parliamentary part of the proceedings stands in the same relation to the agent that the barrister stands to the solicitor in the courts of law; and in certain cases, as already observed, every bill on subjects under the cognizance of the Board of Trade is opposed by it so as to cut down any unnecessary or dangerous clause granting additional powers.

Opposed bills, except railway and canal bills, go to the Committee of Selection, composed of the chairman of the Standing Orders Committee and four members nominated by the House at the commencement of every session. This committee classifies all private bills, nominates the chairman and members of these committees on such bills, and arranges the time of their sitting and the bills to be considered by them. Railway and canal bills go directly to the General Committee on Railways and

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Canals. The first business of these committees is to form bills which come before them into groups and appoint sub-committees for their consideration, of which the chairman only is a member of the appointing committee.

These sub-committees are composed of a chairman and four members of the House and a referee, not a member, who is generally an expert on the subject-matters of the bills. Calendars are then prepared by the committees, and thenceforth, until the report, the bills and the opposition thereto are tried in the same manner and under like forms as a controversy before a court of law. All the formalities of a court of justice are maintained. If the promoters of a bill fail to sustain it during its progress, it is abandoned by the House in which it is pending, however sensible the members of the House may be of its value.

So completely is a private bill regarded by courts of equity in the light of an ordinary suit, that its promoters have been restrained by injunction from proceeding with a bill the object of which would, in effect, set aside a contract made by the promoters. Unopposed bills are referred to the chairman of the Ways and Means Committee of the House and the chairman of committees of the Lords, and at any time either of these chairmen can recommend that an unopposed bill shall be treated as an opposed bill, and thereupon it is to be proved before the appropriate committee as though a memorial had been presented against its clauses by an adverse interest. A complete fee bill provides for the expenses of all private and local bills through all the parliamentary stages. The charge borne by every bill before it becomes law for the payment of examiners, referees, counsel, and committee work, varies from five to fifteen hundred dollars. This charge is independent of the fees paid to parliamentary agents, counsel, and witnesses; and in addition to all these charges, the claimant for local or private legislation may be mulcted in a heavy bill of costs to adverse parties who prevail in defeating the bill, or so amending it as to secure rights which had been inadequately protected by the draft bill.

Private bills legislation is not only not a burden upon the public under this system, but is a source of revenue. All the expenses of a parliamentary session are in effect borne by the applicants for private and local legislation. By the adoption of this system, method and order have been introduced into the business of legislation. Parliament has thereby created a ma-

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chinery by which, whenever special legislation is applied for, it is informed of all private as well as public interests to be affected by such legislation, and it thereby puts itself in a position intellectually to cope with the intelligence developed by the differentiation and division of employments. It has not only improved its law products, but has also cast out the evils which beset that species of law-making, and substituted a learned profession — the parliamentary bar — in the place of irresponsible and corrupt lobbyists. The people of the United States, on the other hand, by adhering to methods applicable to the primitive condition of a nation of planters and farmers, with simple wants, little credit, and a low industrial status, have drifted into a position as to their legislation not only out of all harmony but in sharp conflict with their industrial and commercial development.

England, by adopting this course of bringing method into its legislation, has accomplished three distinct and important results. In the first place, it has prevented the possibility of smuggling a private or local bill through the Houses of Parliament. Without adequate and complete notice to interests which might be adversely affected by it, such a bill cannot even be introduced. Secondly, it has imposed the work and the expense of special legislation upon the parties who seek it, and made every possible provision that no injury should be done by the granting of the special law. Thirdly, it has ridden itself of the lobby. When the grant by special legislation went no longer by favor but by merit, and when the vote of the legislator could no longer be won by underhand means, the class of men who theretofore had been serviceable in the lobby of the House of Commons could no longer be made useful; and a trial requiring trained intellects being the condition precedent to a grant of power, the parliamentary lawyer took the place of the lobbyist. In short, there is as great a distinction between the men who now promote private and special legislation in England and the men who promoted it before the existence of the Standing Orders, as there is between a lawyer who argues a cause before a common law tribunal of dignity and the go-between of a Turkish court to fix the judge in a suitor's behalf by a propitiatory gift.

The American people are not slow in their perceptions, and have, therefore, not been oblivious of the evils incident to the present system of legislation; but they are a busy people, and are, therefore, too impatient carefully to study out the remedy.

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Palliatives in statecraft are the things most likely to attract them, because the reasoning that leads to their acceptance lies upon the surface. It is therefore not surprising that the constitutional amendments which have been adopted in many States, and which are, more or less, in process of adoption in many others, to reach this evil, should be of the nature of palliatives. Palliatives, however, simply act upon the symptoms of a disease, leaving the source of it in full activity; resort to them is, therefore, likely in the end to prove more injurious than if they had never been applied. So will it, in all probability, be with the attempted remedial measures that have captured the public ear and are advertised as infallibly curative of the disease of bad legislation.

One measure of this class is the constitutional limitation upon the power of the legislatures to pass special and local laws in a large number of enumerated cases, and requiring that the legislation upon such subjects shall be by general law. As these cases embrace the main field of special and local laws, such constitutional provisions have for their inevitable effect, that the pressure for special immunity from the operation of the general law or for special privileges will hereafter more extensively cause, and, to a considerable degree, has already caused, great and harmful changes in the general body of the law. Thenceforth personal and not general interests operate to change and modify the *corpus juris* of the State. Special and local legislation is thereby not diminished, but re-appears in its most dangerous form, *i. e.*, special legislation disguised as general laws. So that now, within less than ten years after the adoption of this constitutional amendment in the State of New York in 1874, no lawyer feels safe, without a critical examination of the annual statutes, to give an opinion as to the general body of the law, which had previously been regarded as well settled, as he cannot tell how the Legislature may have been induced to change the well-established law for the purpose of meeting a special case. More particularly is this tendency a dangerous one in a community like that of the State of New York, where there is no direct responsibility for the public law-making of a session except with a Legislature which has ceased to exist when the law is published in accessible form. No ministry is responsible for the laws of the year, and, excepting the veto, the only safeguard that exists against mischievous legislation of

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this character slipping through from year to year, is in the alertness of the judicial committees of the two branches of the Legislature, who are overtaxed with work and not overburdened with knowledge.

The second remedy of the palliative order is to have the Legislature meet less often. Biennial sessions have therefore been proposed, and in some States adopted. The argument which supports the reduction of the activity of the Legislature by one-half is a captivating one to a community which regards with dread any meeting of its legislative body; yet a little reflection will show how utterly ineffective this proposed remedy will be. The legislative body can commit as great a sum-total of mischief, when convened but once in two years, as it now does when convened every year. And the mischief is sure to be greater, for the reason that when the Legislature meets but once in two years, the number of bills which will be crowded upon it is sure to be larger than when it meets annually. Already, under the present unorganized habit of legislation, the individual members of the Legislature cannot acquaint themselves properly with the merits of any proposed law, for want of time and of judicial machinery. With the inevitable result of being more occupied when it does meet, the evils that must result from ignorance alone will therefore be considerably increased when the Legislature meets less often.

An illustration used by the writer on a former occasion may do service once more. Would not a man have run serious risk of being regarded as an imbecile had he proposed, in 1871, as a remedy for Judges Barnard and McCunn's mischievous activity on the bench, that they should sit but half the year instead of during the whole year? So long as there was no limitation put upon the amount of the mischief that they were enabled to do within the given time, it is clearly obvious that by limiting the time the mischief is not diminished. So, while this remedy is useless for good, it is fraught with the special disadvantage that evils which the Legislature alone can restrain must go unredressed for several years to await the coming together of the law-makers.

It must be admitted that a reform, like the one proposed, of methodizing our legislation, is not easy of accomplishment. The mere adoption of Standing Orders or rules would bind no legislative body any longer than its will would see fit to be

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bound by them, and they would clearly not be binding upon a subsequent Legislature. It would, therefore, be necessary to embody the principles of such a reform in the State constitutions, and require the Legislature to enact rules for methodizing its work and carrying on its business according to some formula contained in the fundamental law of the people. The necessity for such a reform need scarcely be further urged. The writer of these pages, during a session of the British Parliament, followed a private bill from its inception to its adoption, and his experience has enabled him to compare that method of legislation with the legislative practice in several of the States of this Union. He considers it absolutely no exaggeration to say, that the difference in favor of the English method as against the American is in every respect as great as the difference between the procedure and practice, and the results in the way of justice arrived at, say by the Supreme Court of the United States, and the procedure, practice, and the judicial results arrived at by a tribunal in a semi-civilized community such as Siam or Arabia.

SIMON STERNE.

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THE UNSANITARY HOMES OF THE RICH.

SANITARY science is one of the oldest of the sciences. The hygienic laws laid down by Moses and Hippocrates are to-day just as applicable as they were two thousand years ago, and only need adaptation to our complex civilization. Nevertheless, progress in the practical application of sanitary principles has not been rapid. It has kept pace with the advance of knowledge, but this has, of necessity, been slow and disappointing. Until newspapers began to be widely diffused there was no means of popular enlightenment, and even now people are apathetic about hygienic matters, and neglect the "ounce of prevention," nowhere else so vitally important.

It is only thirty-five years since the first comprehensive health law was enacted in Great Britain; and it was not until the criminal blundering of the Crimean war, and the death of Prince Albert, that the English public were awakened to the need of sanitary reform. Much had been previously done to improve the condition of hospitals, prisons, and factories. Smoke nuisances had been abated and grave-yards in crowded cities closed. Domestic sanitation was, however, an unworked field, which is only now beginning to be cultivated. The principle laid down by Dr. Carpenter, that "the house is the unit of sanitary work," had not been accepted. Building details had been left to the architect; and it was not until medical men awoke to the alarming spread of zymotic disease, due to bad drainage, that people began to question the providential theory of disease, and to raise the warning cry, "Look to your drains."

The most surprising fact is, that while the evils complained of have been found in both city and country houses, and in the homes of rich and poor alike, yet they have been most destructive to life and health in the finest residences here and abroad. The same ignorance and thoughtlessness which led Peter the

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Great to select a flooded marsh as the site of his imperial capital, are repeated in the arrangements of the noblest European palaces. Viollet le Duc relates that he had occasion to visit the Tuileries with an old lady of the "ancien régime," who noticed with satisfaction what to him were insufferable odors from certain sanitary conveniences in the building, and said that they recalled to her the time before the Revolution when she was a maid of honor. After the death of Prince Albert, his usual study seat was found to be directly over a cess-pool, whose emanations were undoubtedly the cause of his disease. The almost fatal illness of the Prince of Wales at Sandringham was ascribed to a like cause. The ancient palace at Darmstadt, where the Princess Alice was carried off by diphtheria, was afterward found to have many leaky drains and unventilated cess-pools. Within a year Badgshot Park, the newly built residence of the Duchess of Connaught, supposed to be perfect in its sanitary arrangements, has been discovered by Dr. Playfair to be filled with sewer-gas. These experiences of royalty show in the most vivid way how little attention has been given to the sanitary arrangements of the costliest and most palatial dwellings. Mr. Rawlinson, the eminent English engineer, declares that Belgravia is the worst sewered part of London, and that the drainage of the Government offices and official residences in Downing street is so indescribably bad that he would rather resign than live there.

These statements are sufficiently startling, but they are no worse than the known facts about the finest residences in the United States. Much has been written and said of late years about the wretched homes of the poor of New York, their squalor, their filth, and the moral and physical degradation of their occupants. All are familiar with the harrowing descriptions of the barracks and slums in which a large proportion of the population of the metropolis live and in which so many of them die. Little, however, has been heard of the unsanitary homes of the rich; and it seems paradoxical to declare that the defects of the costliest houses on Murray Hill rival those of the tenements of Baxter street. New York is the commercial center of the country. The daily transactions of its clearing-houses mount up to millions. Its docks swarm with shipping from all parts of the world, and its warehouses overflow with merchandise from the Ganges, the Thames, the Golden Gate, and the Amazon.

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Millionaires jostle each other in Wall street, and bonanza and railway kings are as common as blackberries there. To house the possessors of this wealth, the finest dwellings that architectural taste can design are being erected all over Manhattan Island, many of them of imposing dimensions, palatial in their adornment, and seeming to lack nothing to promote comfort, enjoyment, and health. Yet I venture to say that a large number of these houses are mere whited sepulchers, and their luxurious inmates are exposed to constant risk of disease and death. The story of the rich man who tore down his barns and built greater ones, has a parallel in hundreds of cases, where the possessor of wealth, acquired by years of persistent labor in mining, manufacturing, commerce, or speculation, comes to New York to enjoy his gains, buys a mansion, adorns it in æsthetic style with costly frescoes, rich upholstery, elaborate carving, and bric-à-brac, and then has some member of his family stricken with sickness, due to sanitary defects in or near the dwelling.

If we critically examine one of the palatial residences on Murray Hill, what do we find? Instead of being spacious, as if the owner liked ample room both for his comfort and to dispense a liberal hospitality, it is long and narrow, as is inevitable from the contracted site. The windows have little, if any, outlook, as the view is shut in by adjacent houses. Each owner seems determined to cover every inch of his land with brick and mortar, leaving only a paved patch some fifteen feet square for a yard, to dry clothes. The bit of grass-plot and grape-arbor, with an occasional fruit or shade tree, formerly in vogue, have gone out of fashion. Rich New Yorkers no longer care for such commonplace things. Their children do not require a play-ground. The family are content with an outlook of bare walls and neighbors' windows. Such yards as may be seen are so shut in as to appear like prison grounds. As the sunlight rarely enters such homes, the long three-deep suits of rooms never seem bright, sweet, or fresh, and there can be no free circulation of air. Such air as does enter the seldom opened windows is redolent with scents from stables, soot from elevated railroads, vapors from factories, or odors from Hunter's Point refineries; the careful housekeeper therefore closes the windows tightly, and the sole source of air is the furnace register, which is supplied from a leaky cold-air box, filled with cellar-damp and street-dust. When ignited, the latter smells like burnt feathers, and on analysis it yields twenty

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per cent. of organic matter. Yet air of this composition is the chief lung food of nine-tenths of the people of the metropolis. After passing through the furnace registers, it mingles with the vapors from the kitchen and laundry, or with gases from leaky drains or foul plumbing fixtures and the products of combustion from scores of gas-jets, forming what Professor Huxley aptly calls "a stirabout of solid particles," and a poor substitute for nature's atmosphere.

Ventilation is decidedly one of the lost arts, and in most houses there is hardly a pretense of providing it. The sole dependence for fresh air is usually windows and open fire-places, the latter of which are becoming common. Where flues are provided to carry off foul air, they are so small and so roughly lined as to be of little utility. Ventilating shafts are little better, as they are seldom provided with proper openings at the roof, while the skylights over halls are in hundreds of cases tightly sealed. In a vast majority of houses, the air from the lower floors stagnates in the rooms next the roof, whose occupants are in a constant state of stupor from the impure atmosphere. The increasing prevalence of catarrh and pneumonia is pronounced by many physicians as due to the unwholesome air which our people breathe.

Two thousand years ago, Hippocrates said a dry soil is essential to health. A damp cellar is one of the least desirable features of a dwelling. Yet, Professor Chandler declares that not one house in a hundred, in New York, has a properly constructed cellar which explains the large proportion of deaths from consumption, and the prevalence of rheumatism in the metropolis. In the main part of the occupied portion of Manhattan Island there is no soil drainage. Sewer connections are usually made with tile drains, which are rarely tight, and hence they seriously pollute the soil. There is a lack of ventilation and sunlight in cellars, which are crowded with wood and coal bins, wine closets, and domestic rubbish. Householders should follow Professor Chandler's advice and inspect their cellars once a month.

In the best houses, the provisions kept in refrigerators are exposed to the chance of contamination when the drip-pipe connects directly with the house-drains. Frequent cases of sickness have been traced to this cause. Water tanks and cisterns connected with soil-pipes are exposed to like contamination. The space behind the wood-work of basins, sinks, and other fixtures

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is almost invariably foul. Slop sinks are sources of offensive odors, and all these evils are intensified by the lack of water for flushing purposes, owing to the deficient pressure.

The multiplication of servants, and the lack of responsibility for domestic details, have an important sanitary bearing. In houses which have the largest number of domestics, there is often the least attention given to cleanliness. In one of the worst dwellings I have had occasion to examine, and where a death occurred under peculiarly tragic circumstances, there were nine servants, and if the number had been larger, I fear the whole family would have been carried off. In proof of the correctness of these assertions, I may cite the steady advance in the death-rate of New York City; the statements by official inspectors of the Board of Health of the amount of bad plumbing found everywhere; the evidence of other professional observers, like Col. Waring, that defects in house drainage are prevalent in the very best houses, "almost without exception"; and the testimony of physicians like Dr. Fordyce Barker, Dr. Willard Parker, Dr. Frank H. Hamilton, and others, based upon wide experience and extensive practice. If other evidence were needed, it might be found in the number of practicing physicians in New York City, the drug stores on every corner of the leading thoroughfares, and the large outlay for medical attendance and drugs in most families.

But this state of things is not confined to the metropolis. From Brooklyn, Boston, Philadelphia, Washington, St. Louis, Chicago, Cincinnati, San Francisco, and other cities, large and small, the same story is heard. The trail of the serpent is over them all. Wherever "Jerry" builders, ignorant plumbers, and unscrupulous owners or speculators are found, the same deplorable condition of things exists. In Brooklyn, the finest homes on the Heights have been polluted with sewer-gas, despite their superb situation overlooking New York Bay and swept by winds from every quarter. At the time of the Rockwell case, in 1879, a dozen houses on Montague Terrace were visited by diseases due to bad plumbing. Few of the houses have any barriers against sewer air. During the extensive epidemic of diphtheria in 1881, defective plumbing was found in the majority of the houses where cases occurred. In Washington, the sanitary defects in the White House, which are believed to have contributed to President Garfield's death, are equaled by those in

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several public buildings, where trapless water-closets, leaky drains, furnaces with polluted air-supply abound. Mr. C. A. Robinson, Inspector of Plumbing of the District of Columbia, records a number of similar evils, many of them in "good houses, some among the finest in the city."

In Boston, many fine residences, especially in the fashionable Back Bay region, lack sanitary safeguards. Thousands of houses are built upon piles in made ground. In the process of settling, which may continue for years, the drains are inevitably dislocated, and this permits sewage to saturate the foundations and subsoil. I have known seventy-eight cart-loads of earth polluted in this way to be taken from under a building. This condition of things may exist for months, and even years, without a suspicion of harm, until serious sickness breaks out. Mr. Theodore Clarke says: "In my experience, defects of this kind are far more common than leaks in iron soil-pipes, imperfect traps, or other defects attributable to the plumber." The thickest concrete flooring is no barrier to drain-air, which, after entering the cellar, readily finds its way through the recesses in walls where plumbing pipes and furnace flues are carried to the remotest point of the building. An official examination of three hundred and fifty-one houses, made in 1878, showed that fifty-five per cent. of the drains were imperfect. In Chicago, out of seventy-five houses where diphtheria occurred, only four were found in a sanitary condition. In St. Louis, Health Officer Moore stated, in 1879, that there was probably not a single house with perfect drainage, while in the vast majority every sanitary maxim is violated.

As may be inferred, if plumbing in these localities is so bad, it is still worse in small cities and towns. In such places, men of wealth aspire to build residences rivaling those of the great cities, and with all modern improvements. Neither the architects, however, nor the plumbers on whom they rely, have hitherto been equal to the task. The former are no better informed than their city brethren, while the latter are mostly tinsmiths who have had no practical training in plumbing and who make extraordinary blunders. The most carefully drawn specification will hardly restrain an ignorant or unscrupulous mechanic from scamping his work. Hence, hundreds of examples of criminal blundering may be found in these places. In St. Paul, Minn., galvanized iron is invariably used for ventilation pipes. The

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rest of the plumbing is on a par with this practice. In Rochester, I am told that there is only one practical plumber among the thirty men in the business there, and when tinsmiths have contracted to plumb a fine residence they have had to borrow a journeyman plumber to make the wiped joints, as tinsmiths can only make "bolt" joints. In another city in the center of New York State, a fine mansion which cost seventy-five thousand dollars had such small chimney flues that not one of them would draw, while the plumbing was simply wretched. A bath-room in the center of the house had no ventilation except through a transom window which opened over the head of a bed. The occupant of that bed died of typhoid fever. Another bath-room was ventilated by a small pipe into a chimney flue, and the odors passed into the dining-room on the floor below, causing so much offense that the fire-place had to be bricked up.

Three causes have contributed to the prevalence of defective house drainage. First, plumbing practice has not developed so rapidly as other useful arts. Houses built only a few years since lack many sanitary requirements. Since 1878, a revolution has been effected in methods of work and in the character of plumbing appliances. A large manufacturer of plumbing supplies states that his sales of fine goods of this class during the past three years exceed the total sales of the previous thirteen years. The widespread agitation by the press and by technical journals has made the public appreciate the necessity of having the best plumbing in their houses. The time is not distant when people will be willing to make a reasonable outlay to meet the sanitary requirements of dwellings. Second, the number of plumbers competent to do good work is small. The great majority have had to depend upon contract work, which of necessity is cheap and inferior. Few of them have had opportunities to execute work of the best kind. They have been snubbed by architects, cramped by customers, their motives distrusted and their intelligence belittled. A plumber who is conscientious and disposed to render a fair equivalent for his pay cannot compete with unscrupulous rivals and must be content with a limited business. The mass of the trade are grossly ignorant of scientific principles, and are influenced too strongly by mere considerations of profit. If a customer does not want good materials or the best workmanship, the ordinary plumber furnishes a poor quality of both, suiting his service to his pay.

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Even when the owner is wisely liberal and desires to have the best that money can supply, the plumber, from ignorance, may be incapable of meeting his wishes, and one constantly finds houses in an execrable condition when no limit has been placed upon the cost. Again, some plumbers who have gained a reputation for good work will deliberately trade upon this reputation, and by employing a few good workmen and a larger number of inferior hands or boys, will strive to make the skill of the former supply the deficiencies of the latter.

It might be expected that our architects would give special heed to sanitary requirements, but thus far they have been too busy with the æsthetic side of their profession, simply because this is what their clients expect from them. Hence the plumbing and drainage of a house are usually left to the wisdom and care of the builder or plumber, with what results the public too well know. Any one who has had occasion to read the plumbing specifications drawn up by the average architect will be filled with amazement at their crude, incomplete, and unsatisfactory character. Even where, as in New York, printed blanks are provided by the health authorities, a large proportion of the plumbing specifications have to be returned for revision.

As human nature is constituted, and while men must live and carry on business under severe competition, it is only to be expected that plumbers will be governed by self-interest; but householders may avoid being victimized by employing only men of intelligence and standing. There is a strange delusion on the part of the public that a plumber who works himself and has a shop in a cellar must, of necessity, be more intelligent and cheaper than a workman employed by a reputable firm who can afford to have an attractive shop in a good locality. Hence one constantly finds the most stupid and rascally fellows admitted into the best houses, and allowed to do as they please with the drainage. Some one has said that a man cannot handle lead without moral deterioration. A more rational explanation of the deficiencies of plumbers would be, that where men's pecuniary interests are opposed to their sense of what is right they become what is called "business honest," and sacrifice others' interests to their own. The day of retribution, however, is fast coming to the men who have done inferior work in this line.

Another cause of the unsanitary condition of modern houses is the parsimony or false economy of their owners. There seems

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to be a special temptation to skimp and save in plumbing. Yet it constantly happens that the whole drainage arrangements of a house are spoiled by such a penny-wise policy. It is always cheapest to have good work, and the cost of tearing out and correcting defects is usually three times the outlay for making work perfect at first. As Emerson remarks: "The difference between what is good and the best is sometimes as great as between what is good and what is bad." A slight flaw in the drainage of a house may ruin the whole. As a chain is never stronger than its weakest link, so the most elaborate system of plumbing depends for its security upon the perfection of every detail.

Furthermore, householders must learn to distinguish between things which are essential and those which are merely ornamental. They must not consider a stain on a marble slab or on the lining of a bath-tub a more serious offense than a soil-pipe full of sand holes or one jointed with cement and putty. Neither must they take it for granted that because the visible work about a house is neatly and carefully finished, the work hidden under floors or behind casings is of equal quality. When one reads descriptions of the gorgeous sanitary arrangements in certain London artists' homes, where lavatories are fitted up with coral, silver, crystal, and marble slabs, inlaid with uncut gems and ornamented with silver and gold, he cannot but wonder, in view of the shocking sanitary defects in the homes of the English nobility and of royalty itself, if the rest of the work is scientifically planned and executed.

Often the cry is raised that people should abolish plumbing altogether in houses. Such radical measures, however, are needless and unwise. Good plumbing is healthful, convenient, and comfortable, and it is as absurd to talk of abolishing it as of abolishing cleanliness, sunlight, or fresh air. Many persons try half measures and remove basins from bedrooms, but ignore the more obvious and serious defects of pan water-closets, foul slop-sinks, and other fixtures which are found in the very finest houses in close proximity to living and sleeping rooms. Still others have recourse to devices for excluding or destroying sewer-gas, so widely advertised of late, but which have justly been described as humbugs and frauds upon the public.

Thus far I have referred specially to houses owned by their occupants. There is a still larger class, that of leased dwellings, owned by individuals or by large proprietors, as the Astor, Rhine-

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lander, Goelet, or Lorillard estates. They are situated in fashionable sections, and command a high rental. The plumbing is often elaborate, and was originally of average good quality. Sanitary science, however, has made such rapid strides of late, that the materials, appliances, and methods of ventilating fixtures and pipes in use ten, or even five years ago, to afford security against sewer-gas, are now obsolete. Plumbing practice in the past was based on English experience, and has been largely modified to suit our climate and domestic habits, while experience has shown the necessity of using heavier material, better and more costly fixtures, and more elaborate methods of trapping and ventilation. As the lead soil-pipes, brick and stone drains, and cheap and inferior fixtures, to be found in most leased dwellings a decade since, have yielded to the wear and tear of time, landlords have made improvements, but in an economical fashion, having always their own interests in view. It is but natural that property owners should be slow to spend money for the benefit of their tenants. They usually employ a plumber who has sufficient discretion not to put his customer to excessive expense, by doing everything a tenant may want or which his own judgment may tell him should be done to insure safety. The result is systematic patchwork and deception, by which the tenant is frequently led to think that everything has been made right, although dangerous defects still exist. Often, only through the intervention of the Board of Health can landlords be forced to provide improvements. Again, even where a tenant himself pays for needed alterations, the plumber is ashamed to stultify himself, and hence omits to completely cure existing defects. Flagrant cases of this kind have come up in my experience. A gentleman rents a house in the belief that it is in good sanitary condition. He is assured by the landlord that all sanitary safeguards are provided. In time, bad odors are noticed and sickness breaks out. The landlord, when applied to, sends his plumber, who makes some slight changes, pronounces everything all right, and goes his way. Again trouble ensues, the same course is repeated, and finally the landlord declares that nothing more can be done. Recourse may then be had to the Board of Health, whose inspectors will suggest some additional changes, or may not find anything to correct. Finally, a sanitary expert is called in, who usually discovers some serious defects in the drainage arrangements. The tenant is naturally indignant, and asks an

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explanation. The landlord refers to his plumber, who, when brought to book, admits that he has considered the interest of his employer alone, and made only such improvements as he thought the latter would approve and pay for.

Within a few years there has been a popular *furore* in favor of apartment houses, and numbers of flats of colossal proportions and costly construction have been built and quickly leased at high rentals. These buildings, however, are often no better in their sanitary arrangements than the average private dwellings. As a rule, they are overheated, especially the halls; usually there is inadequate ventilation, dark rooms abound, and the plumbing, while claimed to be of the best, is lacking in many essentials. Lastly, there is great danger from fire in these buildings. In more than one large apartment house wooden stair-ways surround elevator shafts, which, as repeated experience has shown, will serve to convey a fire almost instantaneously from cellar to roof. Again, the very care taken to deaden floors and prevent the transmission of sound will make it difficult to alarm the tenants in case of fire. The fact that insurance companies consider apartment houses as extra hazardous risks tells its own story; and the possibility of a fire in some of these huge structures must be anticipated with a dread which the late conflagration in the Cambridge flat more than justifies.

The sanitary condition of the summer homes of our wealthy citizens at the sea-shore and other health resorts is on a par with that of their city residences, with this difference, that the drainage arrangements are usually executed by country plumbers, who are even inferior to city mechanics, while the universal dependence upon leaching, and unventilated cess-pools in proximity to wells and cisterns, is a constant source of danger. The repeated epidemics of typhoid fever and malarial diseases in localities where such conditions prevail, and the fact that visitors are seized with these maladies after their return to the city, are ample evidence of the unhealthfulness of summer resorts. Despite the outdoor life and the exercise which visitors enjoy, it is beyond dispute that the health of the city as a whole is higher than that of the country, and that the risks of a summer spent at so-called health resorts are of a serious nature.

After seeing the ills which beset our wealthy householders in their domestic surroundings, if we visit their counting-rooms and offices, where the male members of the family amass the

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wealth so lavishly displayed in their homes, still further surprise is experienced. Take any one of the huge buildings downtown, where hundreds of firms, with their clerks, are daily absorbed in business affairs, and what do we find? Into a vast number of offices the direct rays of the sun never enter, and they are dimly lighted by shafts, by reflectors, or by gas. Their sole dependence for air are windows, which are rarely opened, and which look upon small, dingy courts or narrow, gloomy streets, from which lofty adjacent buildings exclude all light. Ventilation is scarcely known in these places. Elaborate and costly devices are often provided to carry off foul air, but they constantly fail to act, as there is no provision for pure air or for providing heated currents to carry away the impure atmosphere. In the private offices of the heads of firms open fires may give some relief, but steam coils are the main dependence for warmth, and slowly and remorselessly roast the occupants with their dry, unvarying, and debilitating temperature.

Many offices are situated in basements, just over damp cellars; others are off dark, dank halls in close proximity to foul plumbing fixtures; while everywhere the unwholesome fumes from gas-jets, the burnt dust which settles on steam-coils, and the impalpable impurities from samples or goods stored near by, contribute to pollute the atmosphere. Any plumbing is thought to be good enough for business buildings. The wear and tear to which it is exposed from careless clerks and boys, and the neglect of janitors, with the absence of water for flushing, all contribute to make it unwholesome. Furthermore, the sewers are often very bad, in many cases, stone drains roughly constructed, without proper pitch or ventilation, and with no means to keep them free from deposits. They were originally intended to carry off surface water, and are wholly unsuited to convey sewage. There is no barrier to prevent sewer air from finding its way into buildings, nor are soil pipes carried through the roof, of full size to permit its escape into the atmosphere above. Hence such buildings are found saturated with sewer-gas, and their occupants, too absorbed in business cares to heed their unsanitary surroundings, learn only too late what are the physical effects of such exposure.

These conditions undoubtedly explain the worn, weary, blanched, and prematurely aged look of so many business men. The wholesale introduction of steam for heating office buildings

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threatens to increase the crop of evils just pointed out, and to intensify the nervous strain which Dr. Weir Mitchell and other specialists note as so destructive to health. Our people are starving for the want of fresh air, and it is no wonder that the tired broker or merchant, after a toilsome day in his stuffy office, seeks relief in stimulants or becomes the victim of chronic dyspepsia, nervous exhaustion, insomnia, and brain paralysis. Some of the most remarkable examples of unsanitary conditions in my experience have been in business offices, and in more than one instance in new buildings supposed to have perfect plumbing. In the directors' rooms of wealthy corporations and the private offices of bank and insurance presidents these evils are found in their worst form.

Here, then, are certain facts which are sustained by the steady growth of zymotic disease and by the evidence of many observers, who have had like opportunities with myself to inspect dwellings. The question may pertinently be asked, What are our wealthy citizens going to do about it? Will they continue to pursue the ostrich policy which has prevailed of late years with such direful results? In other instances, when large numbers of people have been threatened with danger, societies have been formed to diffuse knowledge and inaugurate reforms. It would, therefore, seem timely to found an Association for Improving the Condition of the Rich, to send missionaries and to diffuse tracts among the benighted class, who, as has been shown, are exposed to such dangers. Undoubtedly the whole community would be interested in so benevolent a movement, and would contribute liberally toward its support.

CHARLES F. WINGATE.

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SCIENCE AND PRAYER.

PRESIDENT ANDERSON.

In our day a class of able men, many of them distinguished scientists, think that the biblical view of prayer is altogether false; that it will do well enough for children and ignorant men and women, but can no longer satisfy the intelligent and the learned. These men represent prayer as futile, because the laws of the material universe are absolutely immutable — nothing can in the least change or modify them; therefore, to pray for rain or for recovery from sickness is as great a folly as it would be to attempt to dam up Niagara with a straw. When the atmospheric conditions are fulfilled, the rain will descend; when the physical and hygienic conditions are suitable, the sick will be restored to health. Yet we must be just to these scientific men. They do not all agree in opinion any more than the theologians do. Some of them are theists: their God is a personal God, who hears prayer. He may, they affirm, in answer to prayer, bestow on men spirital blessings. If they pray for enlightenment, the spirit illuminates their minds; if for forgiveness of sin, that blessing is bestowed and the assurance of it; but, say they, we cannot rationally pray for physical good, for material blessings, since in the material realm all is governed by laws fixed, unchangeable.

Still others affirm that prayer is a rational exercise, not because the petitioner directly receives in answer to his prayer either spiritual or material good, but on account of the reflex influence of prayer in his own mind and heart. It changes him. It lifts him up into communion with Him in whom is "no variableness, neither shadow of turning." No real answer to prayer comes down from God to us, but by prayer we are lifted up toward God and transformed into his likeness. That there is this reflex influence in prayer, no candid observer can for a moment doubt; but that this is all that is implied in answer to prayer, we are not yet ready to admit.

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Such, then, are the views, not of all, but of many of the scientists of our day. Whatever may be the diversities in their views, there is substantial agreement in this, that the immutability of the laws of nature shows the folly of prayer, especially for material blessings. That such views are at variance with the Scriptures, the dullest can see. Both the biblical view and this of the materialistic scientists cannot be true; they are utterly in discord with each other, absolutely contradictory. Christ says with positiveness and with sweeping generality, "Ask, and it shall be given you"; the scientist says it is folly to ask, as no blessing, since the laws of the material universe are immutable, can be bestowed in direct answer to prayer. It is clear, then, that either Christ and his apostles, or the materialistic scientists, are mistaken.

We wish, "with malice toward none and with charity for all," to call attention to some points in the position of those scientists who have essayed to be not only our scientific, but also our religious teachers, which seem to us to be weak and untenable; and by our tentative criticism to suggest that perchance the soundest science does not yet summon us to abandon the biblical view of prayer; that it is quite possible that he who spake, his enemies being the judges, as never man spake, never dropped a word in reference to prayer which conflicts in any degree with absolute science. The question before us, then, is whether the doctrine of prayer as presented by Christ in the New Testament is at variance with established science.

Let us first briefly define our terms. What is science? It is what we really know in all departments of investigation, whether the subject be the material universe or the acts and states of the soul revealed to us through consciousness. To know scientifically, to be sure, implies accurate observation, analysis, generalization, and correct classification; but all these processes simply help us really to know, and to know is the pith of the signification of the term science.

An honest, rigid application of this definition would reduce many ponderous volumes on science to the compass of books fitted to take their place in some vest-pocket series. Much of so-called science is nothing but theories or hypotheses to account for phenomena which everywhere confront us, many of which still remain unexplained. We do not object to these hypotheses as such; they are good in their place. They are the tools with

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which scientific men do their work. All advancement in scientific knowledge has been made by using them; but until proved to be true, they are no more science than the chisel with which the sculptor works is the statue which he brings forth from the marble. We must make a sharp distinction between science, that which is absolutely known, and hypothesis, by means of which we strive to know.

On the other hand, what is prayer? It would not specially serve our purpose to attempt a comprehensive definition of it; but we wish to call attention to a single element which should enter into every just definition of prayer. It must be manifest to any one who thinks at all, that men are dependent beings. In the family, in society, and in business, we all, to a greater or less extent, lean on one another, children on their parents, wives on their husbands, the ignorant and the weak on the learned and the strong, and the poor on the rich. Now, lying at the very core of prayer is the fact of our dependence on God. By asking blessings of him, we confess that dependence; but in this confession of dependence, we not only submit our weakness to his strength, but our ignorance to his wisdom. We ask, conscious that we may make grievous mistakes in asking, so that the innermost spirit of true prayer is the submission of the petitioner to God. The cry of Christ in Gethsemane, as he prayed in agony that the cup might pass from him, "Not my will but thine be done," is the undertone of all genuine prayer; so that God answers us truly, when, instead of giving us what we ask, he gives us rather the thing which, in his wisdom, he sees that we need.

The real difficulty in the way of God's answering prayer, according to some able scientists, is, as has already been noted, the fact that the laws of the material universe are absolutely unchangeable. This has led some theistic scientists to affirm that prayer for spiritual blessings may be answered, while prayer for physical good — for example, for rain in time of drought — is folly. But if fixity of law makes prayer for physical good absurd, it must make equally foolish prayer for spiritual blessings, since law is just as fixed in the realm of mind or spirit as in the realm of matter. The laws by which the mind is developed are just as immutable as the laws by which the oak is unfolded from the acorn; the laws by which we think are as rigid and fixed as those which regulate the rivers in their flow or the clouds which

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sweep across the sky. If, on account of the fixedness of law, it is absurd to pray for rain, it is for the same reason equally absurd to pray that the divine spirit may illuminate our minds and guide our thoughts. If, then, God may answer prayer for spiritual gifts, he may, in spite of the unchangeableness of law, answer prayer for physical blessings.

But we also suggest that the position which we combat is probably untenable, on the ground that these able scientists do not, in stating their objections to prayer, use the term law with that precision of meaning that is requisite in scientific discussion. Sometimes they personify it. It seems clothed with personality, as when they tell us that the laws of nature do this and that. They often deify it, ascribing to it attributes which the devout theist ascribes only to God. This is the method of poetry rather than of science. Every thinker knows that the term law has several distinct meanings. It will be sufficient for our purpose to note barely two. We call attention to the first simply because of its diversity from the second, so that by the contrast we may add to the vividness of the second meaning, on which we propose to comment. First, we speak of moral law. It is distinguished by oughtness. We are so made that we discern a distinction between right and wrong; we know intuitively that they are opposites. Men universally recognizing this distinction feel that they ought to do the right and shun the wrong. This ought is mightier than all other forces which impel men to action. This distinction of right from wrong, and the oughtness which presses a man, as with the superincumbent weight of a mountain, to do the right, constitute the essence of moral law. Bentham, in his utilitarian argument in reference to morals, was so troubled with this element of oughtness that he declared that the word ought "ought to be banished from the vocabulary of morals." From the inexorable necessities of his own being he could not say it in any other way.

Now, when we come to talk of the laws of the material universe, we have in mind a very different conception. No oughtness appears. We mean simply the processes of nature,—the ways in which things, so far as the observation of men has extended, come to pass. When the cold reaches a given degree of intensity, water freezes; we say that that is a material law. When the higher temperature of spring comes, the ice melts and vegetation starts; we call these processes laws. When vapor freezes,

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it takes the forms of crystals; and this process we call a material law. The profoundest scientist cannot carry his analysis any further. He knows more than a clown or a child only because, by study and extended observation, he has seen more of the processes of nature, and has generalized and grouped them. In any single example, he can only see what the ignorant may see,—that a law of nature is simply the way in which a thing, in the material world or in the world of mind, is done.

Now, since in these varied laws of nature we see that certain useful ends are met, the suggestion inevitably comes that intelligence established these laws or now works out these varied and beneficent processes. Since a law of nature is nothing more than the way in which a certain thing is accomplished, it is certainly not contrary to anything which science has discovered to consider the laws of nature simply as God's methods of doing things. Such a supposition does no violence to scientific method, while it provides a suitable cause for the beneficent element in these laws. If it is asked why these processes, or laws of nature, on the supposition that they are God's ways of working, are fixed, invariable, we find a ready answer in the biblical revelation of God's nature and character. Being absolutely perfect, when, for the first time, he did anything, he did it with absolute perfection. When a thing is perfect, there can be no change for the better, since nothing can be any more than perfect; but God cannot change, in these processes of nature, to that which would be in any sense imperfect, since that would be a contradiction of his own absolute perfection. So we find in the character of God, as presented to us in the Bible, the sufficient reason for the immutability of natural laws, when we regard them as simply his methods of acting. So when David sang, "The Lord also thundered in the heavens, and the highest gave his voice," he may not even in his imaginative song have uttered anything opposed to the strictest science; it may be that in such diction, poetry and science met together and kissed each other. But if these processes of nature may, without the slightest conflict with science, be considered simply the actings of God immanent in his own creation, it is not impossible that, working by these unchangeable processes, he may answer the prayers of his children.

And it will not be difficult for us to discover by analogy how, in perfect harmony with the fact of the immutability of

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natural laws, God may do this. The perfect confidence of men in the fixity of natural laws underlies all their acts. Without such confidence they could not construct or work the simplest machinery. They would not dare to sail lake or ocean, lest by a change of natural laws their vessel should suddenly sink rather than float. But because they know these laws to be immutable, they use them with confidence in all their manifold activities. Now, from analogy, we are able to see how the immutability of natural laws, instead of being an obstacle standing in the way of God's answering prayer, may become rather the very means by which he answers every prayer of faith. Men, because these natural laws are unchangeable, are able by the adjustment to each other of even a very few of them to secure the most wonderful results. The adjustment to each other of a few immutable laws gives us the steam-engine, which moves most of the machinery of the civilized nations. The adjustment of a few immutable laws drives our great merchant ships around the globe. The bird which darts upward into the air and onward through it with such great velocity, instinctively adjusts a few unchangeable laws to bring about this surprising result. If men, with their limited knowledge, and the birds of the air by instinct, can use unchangeable laws to reach such marvelous and varied results, can not God, who established these laws, so adjust them to each other as to answer every true prayer breathed into his ear? Immutability of law, then, does not make prayer even for physical blessings a folly, but rather suggests to us how God, because of this very immutability, may answer every true petition.

Then we are never to forget that at the best we know but little. La Place is reported to have said, just before he died, "What we do not know is enormous." We have discovered, by centuries of toil, a few natural laws. As the circle of our knowledge has widened, we have become aware of a still greater circle just beyond that no human mind has ever explored. And in the future, as our knowledge extends, we shall ever grow more and more keenly alive to the infinite reaches of being and of law which we do not know. What we know of the laws of the material universe compared with what we do not know, is like the handful of sand in the hour-glass compared with the vast Sahara. If man, with his very limited knowledge of unchangeable laws, can by their adjustment to each other achieve so much,

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who shall limit in his achievements Him who understands all laws, and who, by the simple act of his will, can adjust these myriads of laws to each other so as to satisfy the cry of every one of his creatures?

Moreover, those who have arrayed science and prayer against each other have sometimes complacently sneered at those who still believe that God answers prayer as being honest enough, but pitiably unscientific. Now, such men ought not to complain, if we demand in them what they demand in others. No theory designed to account for any class of phenomena is worth anything unless it takes into consideration all the known facts and makes suitable provision for them. Those who contend that, on the basis of the immutability of natural laws, it is folly to pray, have never in their theory made full provision for the entire contents of the fact of prayer. If one thing in reference to man has been established beyond every other, it is the fact that he has distinctively a religious nature. Wherever found, be he savage or civilized, he is religious. He universally has his places of worship, rude or artistic; he has his shrines and altars, and offers to his god or gods sacrifices bloody or unbloody. Heathen, Mohammedan, and Christian alike pray. Even men who declare themselves atheists will sometimes pray, when they get into a pinch; and in their highest and best moods will utter words of praise to Him whom they declare not to exist. Now, a fact so universal as prayer must be in some way accounted for. Does it not carry the evidence in itself that there is an answer to it? We find it to be a general law of our being that satisfaction is provided for every natural and right desire. We hunger,—without us are manifold harvests and barns bursting with plenty; we thirst,—without us are lakes, bubbling fountains and purling brooks; we long for the beautiful,—without us in myriads of objects is beauty more subtle and delicate than was ever expressed by the brush of the painter or the pen of the poet; we crave the sublime,—and cataract, and mountain, and heaving ocean, and the awful storm, answer the inward desire. As, in these cases, the hunger, the thirst, the longing, and the craving are evidences within us of the satisfaction without us, so prayer, the deep longing or craving of man's religious nature, carries with it the decisive evidence that there is without an answer which will meet and satisfy it. If this be not so, then for our physical and intellectual cravings answers beautiful and complete have been provided,

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while the cravings of our higher religious nature have been left uncared for and unsatisfied. This a school-boy could not fail to stamp as the rankest absurdity. Prayer is either answered, or else those desires which impel man to come into communion with God are, of all the desires of his being, alone a mockery. Is any one credulous enough to believe that?

Any sound theory of prayer must also take into account another fact, namely, that of testimony. Men affirm that God has heard their prayers. From the number of witnesses let us exclude all those who might reasonably be accused of fanaticism; yet we have failed to see why the testimony of a fanatical Christian is not just as trustworthy as that of a fanatical skeptic. We will exclude, too, all witnesses who may be reasonably suspected of having had collusion with each other. Then we will sift the testimony of the clear-headed, unbiased witnesses, striking out every statement which may, with the slightest show of reason, be considered as an illusion of honest but mistaken men. Even then, the testimony gathered from the witnesses of all time that would remain, all bearing on this one point, would, if printed in books, make a vast library. Can any just theory in reference to prayer omit a fact of such magnitude? Would it be scientific to ignore all this testimony of the purest and best men that ever lived? If their testimony is declared fanatical, would that not prove too much, if mere assertion ever proves anything? Would it not show that the fanaticism of the ages has contained within itself the godliness, the purity, the virtue of the ages? No, there is no way in which we can scientifically thrust such testimony out of sight. It stands as solid as granite, as clear as crystal, and he who would be scientific in handling the fact of prayer must take it up into his theory and account for it.

If it should be said that prayer and its supposed answer is simply a happy coincidence, we might grant that in one, or two, or three cases it may be, and do no despite to science. But take fifty cases, or five hundred, or ten thousand, and declare in every case that we have only a lucky coincidence, and such a number of coincidences would tax our credulity far more than to admit that God in reality answered the prayers: so large a number of coincidences would be a thousand-fold more mysterious than the fact that these men cried unto the Lord, and that he, in mercy and love, heard their cries and satisfied their wants. By no device can we, with a strict scientific spirit and method,

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brush aside the vast mass of testimony that God has answered prayer.

Our argument in brief, then, is this: from any proper definition of science and prayer, we cannot discover anything within them that brings them into conflict. Those who rule out prayer for physical blessings on the ground of the immutability of natural laws must, if consistent, rule out prayer for spiritual blessings also, since law is as fixed in the realm of spirit as in the realm of matter. Confusion often results from a lack of precision in the use of the term law—a physical law being, to our observation, only a process in the material world; but as we see that in the process beneficent ends are reached, that fact suggests that the process may be simply God's method of acting. By these very processes, therefore, God may answer prayer. As men, by adjusting to each other the few immutable laws of the material world which they have laboriously learned, reach all the varied and marvelous results which we see produced by mechanical contrivances, so God, who works in and through all the laws of his universe, by their adjustment, without in the slightest degree infringing them, may answer every prayer of his people. Any truly scientific theory of prayer must account for the fact of prayer, and deal dispassionately with the mass of testimony given, down through all the ages, that God has, in almost innumerable instances, answered prayer.

After a calm, dispassionate examination of all that has been written by materialistic scientists about the impotence and folly of prayer, we may, without the slightest danger of being unscientific, still believe and obey Him who, speaking with unerring wisdom, said, "Ask, and it shall be given you."

GALUSHA ANDERSON.

MR. WAKEMAN.

THEOLOGY is the past tense; Science is king. Such is the conviction of thousands who lead or hope to lead the world. The reason is, that science has the only verifiable, and therefore the only reliable test of what is true, or good, or beautiful. The practical life of man, the arts, commerce, medicine, law, and even philosophy and ethics, have become firmly established only as they have been founded anew upon scientific methods and results.

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Will religion be the exception? Or will science banish theology from that, as it did astrology from astronomy? Will the ultimate, the religious, conceptions of mankind be annexed to the scientific domain? If so, this new solution of the world will evidently supplant the ancient one and become the creed of the intelligent of the race, the basis of its higher integration, The rapid progress of science toward this result is the most astonishing phase of human history. This new solution of the universe—this idea of law, which is pushing will from the throne—dates not further back than three hundred years (A. D. 1600), when the Copernican astronomy, by the substitution of the heliocentric for the geocentric theory, presented man with a new heaven and a new earth, a new cosmogony, which necessitates a scientific religion, and will leave none other possible.

It may be replied that science cannot for ages reach the masses of the race who are still Fetichists, nor even the majority in civilized countries who are little better. Granted; but knowledge is power. Those who have this power will control the earth, although they may not have the numbers to inherit it. In the rational and spiritual world there is not equality. The law of evolution assigns rank according to courage and capacity. When the vanguard waits for the rear all progress will stop. The rear will never move until drawn forward by the advance. The blind will never see without the light. The highest duty is to tell the highest truth.

What, then, is the verdict of science upon prayer? Prayer is the essence of religion; is, indeed, practical religion under theology. But will the coming scientific, intelligent man pray at all? If not, from whence can he derive the reliance, comfort, and discipline that prayer has afforded to the past generations of men? If prayer is not a means of grace under the new and higher integration, what will take its place?

Evidently prayer is useless unless prayer is answered. Does not the scientific proof that prayer is answered wholly fail?

At the very first step, the fundamental laws of modern science seem to render prayer-answer *a priori* inconceivable. Those laws are: the indestructibility of matter, the correlation and equivalence of forces, gravitation, and the law of evolution. This last law is now recognized as the backbone of the organic, the social, the mental, the moral, and the religious sciences. The old rudimentary beliefs about the uniformity of nature, and

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that like causes and conditions produced like effects, have been summed up and verified invincibly in these laws. They are the greatest acquisition of the human race, and together form the new solution of the world. All science is merely their repetition or extension; its literature is their illustration. They are not only drawn from the facts and events of the world inductively, but Mr. Spencer shows ("First Principles," chaps. 4–9) that, at bottom, they rest upon the law of correlation, the contrary of which is from the very constitution of our minds inconceivable. Thus, the indestructibility of matter and the persistence of force are not only proved by every observation and experiment, but upon ultimate analysis are found to be the condition of thought itself. All notions inconsistent with these laws are called by scientists *pseudo*-conceptions. They have been inherited in vast masses from the unscientific period prior to 1600, when accurate knowledge beyond simple mathematics was practically impossible.

Is prayer-answer, then, one of those *pseudo*-ideas? The answer is affirmative if prayer involves a break or variation of those laws.

The burden of reconciling prayer with those laws rests upon its advocates. Can it be done? Science seems to answer decisively, No! In the olden times, nothing was more easy than a belief in prayer-answer and miracles, for nothing was more "natural" under the will, or God, solution of the world. "Sacred" literatures are full of these events. The old world was plastic material for the working out of divine and human ends. In its will-science, matter and the laws and order of nature were violated, varied, adjusted, or changed for purposes personal or religious. For instance: water was made wine; or five fishes became a hundred; a storm was broken up; iron floated; or a sacrifice was set on fire in answer to Elijah's prayer. Every instance, and they might be collected by thousands, contains the same illusion; that is, that the matter, or forces, of the world may be changed or increased in violation of, or beyond, the correlate order. In that supposition only consists the value of prayer or miracle. But for this notion of power, over or beyond nature, neither would be sought or used. From the slightest glance at the history of prayer-answer and miracle it is plain, therefore, that both were valued only as they were directly in the teeth of the order of nature, and of what are now known to be

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the fundamental laws of science. It follows that this venerable practice will cease in direct proportion as those laws become known and people come to rely on them, instead of on petitions to alter them.

But the *pseudo*-conceptions of this character, and their fundamental illusions, are, as we have intimated, ancient, venerable, and hereditary. Immense capital—material, mental, social, and spiritual—is invested in them. The law of evolution, therefore, leads us to expect that instead of any sudden change there will necessarily arise an immense expenditure of ingenuity to make these *pseudo*-notions appear credible, and a very considerable amount of indignation will be visited upon those who may oppose them.

Let us, then, next examine the most common mode of sustaining this belief. It is simply a part of theology, and is itself unscientific in nature and method. It assumes a God who is anthropomorphic, and yet perfect, infinite, eternal, unchangeable, omniscient, with a will, capacities, and feelings similar to, and yet infinitely beyond those of man. The assumption is that this God, in some way and at some time "in the beginning," created the world out of nothing, or out of his own potency, and has since governed it in a fixed order, according to the laws of his own enactment, now known to us, however, as the laws of correlation above described. These laws, therefore, under the theological interpretation, are always within the control of this supreme will, and he varies, changes, adjusts, or in some way uses them so as to effect answers to prayer.

But this hypothesis of a personal or anthropomorphic God is invoked in vain. It has no weight with pure Theists, Agnostics, Pantheists, or Atheists. All these classes of thinkers unite in showing that the anthropomorphic conception of God is a false one, and without the slightest scientific warrant; that it is a dogma of theology which cannot be conceived, much less understood, but which must be "received by faith" as a "mystery," if it be received at all. When mysteries of this kind (as, for instance, the dogma of transubstantiation) meet the law of correlation, they pass at once beyond the domain of science into that Limbo of Vanity, or of poetry and fancy, known in science as Fable and Myth.

But to those who still retain, or imagine that they retain, a belief in an anthropomorphic Deity, will this hypothesis of a

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personal God remove or only increase the difficulty? Plainly the latter. It is as impossible to reconcile prayer-answer or miracle with God's necessary and admitted attributes, which are, his omnipotence, omniscience, and perfection, as it is to reconcile them with the Scientist's laws of Nature. Nor, may we add, does such prayer-answer or miracle remain consistent with any reasonable veneration for a Deity. For if the laws of nature be but the order of continuous manifestations of his power, they are invariable, because they must be perfect, for they are the action of a Perfect Being who omnisciently knew all things for all time, and had infinite power to execute all that he knew or wished. Such a Being is, therefore, commonly and properly described as unchangeable, and "without a shadow of turning." To suppose such a Being to alter the order of the world would be to admit that it was not perfectly conceived and ordered in the first place, and that its Maker failed for want of knowledge or power to make it complete. A perfect and invariable God cannot also be imperfect and variable. Such a Being is a bundle of absurd contradictions.

But let us next suppose that prayer was foreknown and fore-ordained by this Supreme Being, as a thing to happen as a part of his government by which man would procure a benefit that God had fore-ordained thereupon to grant. Then the prayer would be useless; for, the event would happen as a part of the perfect world-order without prayer, or, if prayer were decreed to be inseparably connected with the event, then it would be simply a part of it, a superfluous concomitant of the event and useless, since the event would happen without it. The maker of the prayer would be only an automaton worked for nothing. If this be the plan of the world, it is plain that God has fore-ordained to grant benefits to intelligent people without this needless addition, which they have practically dropped. He has wisely fore-ordained that people should drop it as they become enlightened.

But suppose that God has fore-ordained some facts to be born as twins. For he may have arranged "from all eternity," so that a certain event cannot happen without a prayer preceding, which prayer depends upon the volition of some man. Plainly this would be conditioning the order of events, and the order of a perfect world, upon the volition of an imperfect being. This would contradict God's perfection, omniscience, and goodness. The idea that a Perfect Being could let his world be run by im-

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perfect and ignorant creatures through their prayers would be simply absurd. Leaving a child in charge of a steam-engine would be nothing to it.

But if the prayer did not thus change or determine the order of its twin event, it would evidently be useless. If it does change that order, God, "from all eternity," knew it, or he did not. If he did not know it, he was not omniscient and perfect. If he did know it, he must have ordered it, for all things must have been fore-ordained by himself in order to be knowable by him. But if he knew and ordained the result, he must be morally responsible for it; and if he is also perfect, the result ordained by him must be perfect. But it could be perfect in one order only; for there cannot be two perfect orders. Therefore, the actual order must have been eternally perfect and eternally ordained, and the prayer for any change must be useless and absurd. Prayer-answer could only lead to imperfections and the consequent inference of an imperfect God.

But, it is said, may not God, in some way, adjust his fixed laws so as to effect answers to prayer much as human beings do, or are supposed to do? The answer is, that scientific laws are unvariable, and therefore always unadjustable. They cannot be adjusted by either God or man. They can only be obeyed or followed. As Bacon taught, man conquers Nature only by obedience. Man may adjust matter, or phenomena, or himself, and events, so that these laws may come in play, as is the case in all scientific experiments. But to speak of man adjusting the laws of nature is a total misapprehension of them and of man's relation to them. Man modifies phenomena by bringing them under laws, but he never varies, or changes, or bends, or adjusts laws in any way whatsoever. Nor can God do it without violating his own attributes and committing logical suicide; for the law is the order which is the condition of his attributes and existence. But if any such thing could be done consistently with God's attributes, would it be less a violation of the law of correlation? Certainly not. If prayer be of any value, it must cause God to vary the order of his correlates in some degree, or direction, or time. It matters not whether this variation from the fixed law is made at the time of the prayer, or years before or after. Whether at once, or gradually, it is a variation of the order which otherwise would have occurred if the prayer had not been offered. Laws, therefore, cannot be adjusted; but man and his affairs may be

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adjusted to them by his will and efforts. Thus he is said, by labor and prevision, to modify phenomena to his use, and to avoid the crushing weight of fatalism which the inexorable laws of nature would otherwise bring upon him. But the very possibility on the part of man of this power of modifying phenomena, and so of making his life tolerable, or glorious, depends upon the invariability of unadjustable laws. Let it be supposed for a moment that these laws could be changed or adjusted by prayer, or in any other way, then science and the certainty of life would be gone, and modern civilization would disappear.

But next, it may be said, why may not God, in a similar way to man, adjust and modify phenomena under these fixed laws, and so effect answers to prayer? If man can do this somewhat and beneficially for himself, why cannot God do it for him infinitely more? The answer is, that God must be just as perfect, omniscient, and omnipotent as to phenomena as he is as to their laws. As such, he has settled the phenomena and their order, including man's will and works, as well as all possible laws, perfectly and forever, from all eternity. Man is weak, imperfect, and ignorant, and therefore he has to change and adjust himself according to his own will and imperfection. Man is thus subject to the "struggle for existence," and therefore has developed a will, and uses it to provide for his wants. But God is freed from all strife; will and law are one with him, and cannot be otherwise. Man is a contestant; God is conceivable only and always as perfect. He exists only in perfect order. To suppose that he does not, is to involve the absurdities referred to above as to God's attributes and law.

Lastly, this anthropomorphic notion of God which we are considering makes him the reverse of worshipful. He becomes a limited, imperfect *quasi* human agent, morally responsible for the evils that exist and for all of the sufferings of his creatures. These moral consequences are too horrible to be more than referred to, nor is more than a reference necessary to any intelligent person. All personal Theism, therefore, in attempting to adjust or to escape the order of correlation falls into intellectual contradictions, and ends in making God a moral monster. Such attempts to make prayer-answers credible are hopeless.

But it is said, then let the appeal be to facts: if the case fails *a priori*, it may be proved *a posteriori*. Can it be possible that

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the almost numberless facts from sacred and profane records, detailing, even down to our own day, what have appeared to the relators to be answers to prayer, can be wholly mistaken or fraudulent?

To this the answer may seem rude or cruel; but to science, "facts" of this kind, related after the events, even by the observers, are only second-hand facts, and, when repeated by others, have no weight whatever. They simply are not facts to any scientific or intelligent person. Among the superstitious, or those who wish to believe, the eye "brings more than it sees." Such "facts" are illusions, common enough now in uncivilized countries and among the more ignorant Roman Catholic people. They merely prove the credulity of the people who assert them, and their incapacity to make and to cross-examine their observations. Anything desired may be proved to or by such individuals.

But, besides this, the ordinary conditions and "facts" of prayer are commonly not of a verifiable nature, as Professor Tyndall has fully pointed out in his well-known letter on prayer-gauge. No facts on this subject, unscrutinized by science, are of the slightest scientific value, and no such scrutiny has ever been applied. No advocate of prayer dares to imitate Elijah by an appeal to facts that could be known to be real and scientific. And this one fact outweighs all alleged "prayer-facts," and is conclusive evidence that the confidence of prayer advocates is traditional and sentimental and not real.

The truth of this view was well illustrated in 1872, when Professor Tyndall and Sir Henry Thompson proposed, in the fairest and most candid manner, a practical trial, or prayer-gauge, referred to in the above paragraph, so that something might be done to verify this prayer-power, if it have any existence. What was the result? Instead of coöperation, these distinguished scientists were vociferously accused, in the Professor's words, of "insolence, outrage, profanity, and blasphemy"; to which he very appropriately replies: "They obviously lack the sobriety of mind necessary to give accuracy to their statements, or to render their charges worthy of serious refutation." He had simply asked for one test under conditions that would enable prayer to be established. "A single experiment," he said, "is frequently devised by which a theory must stand or fall"; as, for instance, the lesser velocity of light

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through liquids, shown at once, was a crucial test against Newton's emission theory of light.

But the crucial test which advocates of prayer in England would not furnish to the scientists was within ten years furnished to the world on the grandest scale (grander than that of Elijah) in America. In 1881, the prayers of fifty millions of people, indeed we may say of the prayer-makers of almost the whole world, went up for months, day and night, but they could not cause the change of a single pus-cell in the languishing form of our dying President. "It was not the Divine will," we hear? Yes; but if the only prayer ever answered is "Thy will be done," why is it not a saving of time and dignity to let that will be done without the useless prayer?

Next, we are told that prayer has been a very general belief in all places and times, and among all religions. Must not the belief and the supposed need of it have some response or counterpart of fact in the order of nature? How else came it ever to exist? Science answers, No. The belief in a thing, and above all our feeling of a want of it, does not affect the external order of nature, nor prove in the slightest what it is or will be. Science has, on the contrary, reversed every important early belief of mankind, beginning with astronomy and ending with the scientific theory of the *ego* or selfhood. The presumption is, that all ancient beliefs are based upon imagination and illusions of the senses, and upon that ignorance of the meaning of facts which universally prevailed during the childhood of the race. It is the very business of science to reverse these beliefs. That the general want of a thing proves its existence is, if possible, still more absurd. The want is simply a counterpart of the belief, and when that is removed the want and practice die with it. Prayer is not only not wanted, but is disagreeable to those who have outgrown it. The existence of fairies, witches, angels, devils, demons, and ghosts can be readily proved by this method. Not solid facts, but illusions and delusions, are their creators.

The custom of prayer is simply evidence of man's weakness and needs, and of the childish views he once entertained of the world and of God. As far as the needs remain, science will supply them under intelligent human effort. Thus, as the light of law advances, the illusions of the old spiritual world, and prayer among them, will vanish like ghosts at dawn. They will be simply outgrown.

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In this view, this prayer discussion is of great practical importance. This delusion, if it be one, needs to be removed from the popular mind with all convenient speed. For the sure foundation of practical life is the general belief in the invariable order of nature. If this order can be varied, adjusted, or broken by God, or by the prayer of a man, then science and civilization are all at sea. We are remanded back to the age and the methods of the rain-maker and the sorcerer. The foundation of the future welfare of our race rests on the public conviction of the impregnable immutability of laws, and of the almost infinite modifiability of phenomena under them through human will and effort. There is no reliable basis for individual character or for society if these scientific convictions are destroyed or weakened in the popular mind.

To be deprived of pleasant illusions, or to deprive others of them, may be painful, but all scientists should sustain the highest conceptions of nature, of law, and of God, knowing that they bring their compensations. Says Goethe:

> Painful truth! Yet I prefer her to pleasant error,
> For truth will heal the pain she may oft inflict.

What, then, are the remedies of truth for prayer? That they will all become apparent at once is not probable. We must outgrow the use of prayer as we do other limitations of childhood—gradually, and by the aid of truer conceptions, ideals, and habits.

The higher integration will present its compensations. Space permits only an intimation of these. Confidence in a firm world of law, modifiable practically without limit as to phenomena and events, by the will and efforts of man for the benefit of his race, becomes the true basis of nobility of character. The infinite, the cosmos, and man become the sources of feelings, thoughts, purposes, hopes, and duties which are found to be inspiring, consoling, practical, beneficent, and religious in the highest degree, and which open up a new world. Habitual physical rest, and times devoted to the cultivation of our highest ideals and feelings, become a source of sweetness and light more sure than prayer or sacrifice. To these results, the lives of Spinoza, Goethe, Hume, Kant, Comte, Mill, Carlyle, Emerson, Harriet Martineau, George Eliot, and thousands who have discontinued the habit of prayer, bear abundant and practical witness.

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Mother-wit is the cure for false theology, says Emerson, and it is sure! The bottom of the world, and of human effort and hope, is *infinite*. It is because we grow to newer and truer ideals, purposes, and hopes that the older, like the leaves, fade and fall. Those who do not see the new will proceed as of old, for no desire will disturb their illusions. Thus the law of evolution happily protects them from the light which might injure or blind. But those who see must fearlessly advance. As Professor Ernst Haeckel enjoins, *impavidi progrediamur!*

THADDEUS B. WAKEMAN.

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